

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA
3 WEST PALM BEACH DIVISION

4 CASE NO. 20-md-02924-ROSENBERG

5 **IN RE: ZANTAC (RANITIDINE)** .
6 **PRODUCTS LIABILITY** . West Palm Beach, FL
7 **LITIGATION.** . February 18, 2021
8 .
9 .

10 STATUS CONFERENCE (through Zoom)
11 BEFORE THE HONORABLE ROBIN L. ROSENBERG
12 UNITED STATES DISTRICT JUDGE and
13 THE HONORABLE BRUCE REINHART
14 UNITED STATES MAGISTRATE JUDGE

15 FOR THE PLAINTIFFS: **ADAM PULASKI, ESQ.**
16 Pulaski Kherkher PLLC
17 2925 Richmond Avenue Suite 1725
18 Houston, TX 77098
19 713-664-4555

20 **MICHAEL L. McGLAMRY, ESQ.**
21 **CAROLINE McGLAMRY, ESQ.**
22 Pope McGlamry P.C.
23 3391 Peachtree Road NE
24 Suite 300
25 Atlanta, GA 30326
404-523-7706

FOR THE DEFENDANTS: **JOSEPH G. PETROSINELLI, ESQ.**
EMMA NINO, ESQ.
725 12th Street NW
Washington, D.C. 20005
202-434-5567

ANAND AGNESHWAR, ESQ.
Arnold & Porter Kaye Scholer LLP
250 West 55th Street
New York, NY 10019
212-836-8011

TaCARA HARRIS, ESQ.

King & Spalding LLP

1180 Peachtree Street Suite 1600

Atlanta, GA 30309

404-572-4600

ALSO APPEARING:

DAVID P. MATTHEWS, ESQ.

Matthews & Associates

2905 Sackett Street

Houston, TX 77098

713-522-5250

Official Court Reporter: Pauline A. Stipes
HON. ROBIN L. ROSENBERG
Ft. Pierce/West Palm Beach, Fl
772.467.2337

1 *THE COURT:* Good afternoon, everyone, welcome. It is
2 nice to see you -- well, I actually can't see you, but
3 hopefully I will see some of you on the video soon; I know you
4 are here. I see we have a number of participants.

5 We see somebody there.

6 I think everyone is going to turn their video off
7 initially and then as the speakers come on. Even though we
8 have been doing the Zoom thing for better part of a year we
9 have to keep restraining ourselves. We had a number of
10 criminal matters this morning from the jail and as much as we
11 put time in on the front end to make sure everything went
12 smoothly, we still had some hiccups. That's just the way it
13 is.

14 So, no one worry if you inadvertently pop up or do
15 something that you feel is embarrassing on Zoom, although I am
16 sure nobody will go so far as to replicate what some of you may
17 have seen go viral last week when a litigant was appearing
18 before a judge, I think in the State of Texas -- not a
19 litigant, but an attorney actually, and he had some sort of a
20 virtual setting and he appeared as a cat, and had to convince
21 the Court that he was not a cat.

22 That was very funny, but I think more people were
23 amazed that the other lawyer who was on the Zoom had a very
24 stone face and wasn't cracking a smile at all. I thought the
25 judge handled it really well, was very patient and very

1 understanding of what could have been a very difficult
2 situation.

3 That is all to say presumably none of you will show up
4 as cats today, so anything other than that should be considered
5 a free pass.

6 It is good to check in again. It is kind of an
7 interesting time. We are about a year out from when the Court
8 received as the transferee judge in this MDL -- I think it was
9 about February 6th or 7th this case was transferred to me, so
10 it has been about a year.

11 I have a few opening remarks that I have prepared.
12 It's nice to be here with Judge Reinhart and we have so enjoyed
13 working on this case and working with leadership and the
14 attorneys we have come to know and the special master. The
15 year has in many ways just flown by, and in so many other ways
16 probably for you maybe as much as us, it feels like it has been
17 going on for years and years and years, and has not been just
18 one year since this case commenced.

19 This will be sort of the one year address, if you
20 will, state of MDL Zantac at the one year mark.

21 I wanted to let you know that I very much look forward
22 to the year coming ahead, and I say year, let's take it year by
23 year, because I know from the case management order that the
24 Court has issued that there is a lot on the horizon, so I view
25 this as a pivotal point, a pivotal juncture in the MDL.

1 Why is that?

2 Well, I think the bulk of the discovery is going to be
3 taking place right now, and discovery is a big part of any
4 case, even our non-MDL smaller cases. Discovery is what the
5 fights are about, where the disagreements arise, where Judge
6 Reinhart tends to see a lot of counsel more often than on any
7 other issue, and it impacts so much of the case.

8 If the discovery is not on track, it impacts the
9 parties' ability to meet other deadlines, whether they are --
10 in non-MDL cases usually the dispositive motion deadlines,
11 summary judgment motions. In this case, it would be the
12 Daubert motions, following on the heels after that, class
13 certification motions and things of that nature.

14 Discovery is just so very important, it gets to the
15 essence of the case, the essence of the claims, the essence of
16 the defenses. It informs, it educates, it helps strategize,
17 helps the parties' strategize, and it is a lot of work,
18 especially in a case of this nature, it's so large, it's so
19 complex, there are so many parties. Zantac has been on the
20 market for a long time, so just the span of time means that
21 there are going to be a lot of documents, electronic documents,
22 hard documents, depositions to take.

23 So, the Court understands it, maybe not as much as you
24 all do, "you" meaning the counsel, because you are doing it day
25 in and day out.

1 It is Judge Reinhart's and my desire to know as much
2 as we can, to be informed as much as we can so that we can be
3 as helpful, we can serve as pillars of guidance, and then
4 ultimately, of course, those critical rulings that are
5 necessary, whether they are the substantive rulings on things
6 like Motions to Dismiss, ultimately Daubert motions, and any
7 other motions that come along the way, and then the discovery
8 motions that have come, albeit a few of them, but we anticipate
9 could very well come in larger numbers. That is okay. We need
10 to work through those so we can keep the discovery process
11 moving forward.

12 Based on the feedback at the recent in-chambers
13 meeting -- so, the last discovery conference that we had, we
14 had it as an in-chambers conference because we had indicated
15 that we did want to meet monthly on discovery and meet monthly
16 for the status conferences, the last discovery conference was
17 as in-chambers conference, and at that conference I asked our
18 special master, Jaime Dodge, to work with everybody to conduct
19 a very thorough assessment of the state of discovery, and
20 particularly to take a hard look at the timelines that we have
21 set in this MDL and how we are going to meet them.

22 This is not the first time I have asked her to do it,
23 it is not going to be the last time, but coming out of that
24 in-chambers meeting, it became very, very clear to me that
25 there is a lot to do, and while we have set timelines in the

1 past, and several of the orders that the Court has issued
2 reflect those timelines for the brands, while I know core
3 discovery agreements have been entered into with other
4 Defendants, so it is not as if timelines are something new, but
5 timelines are as critical as ever right now, and organization
6 and keeping things moving forward even when maybe all of the
7 documents have not been produced and the question arises
8 whether to go forward with depositions or not.

9 The train has to keep moving, but it only can move
10 when both parties, that is all parties, both sides, if you
11 will, do their part, and it really is a collective and
12 collaborative effort with the oversight of the Court ultimately
13 and the special master's special organizational skills, which I
14 had highlighted at the last in chambers.

15 She truly is remarkable in her ability to try to reach
16 consensus and resolution on matters and keep everyone
17 organized, but she knows, and she has heard it from me and she
18 has heard it on the record at these conferences, that where
19 things can't be resolved, get into court, get into court
20 quickly. Judge Reinhart and I are here so that a dispute can
21 be resolved so it doesn't hang you up and you can move forward.

22 So, I realize we are in February, and we have an
23 August deadline for -- that you set in the case management
24 order that was adopted based on the input from all sides that
25 fact discovery is to be completed for general causation.

1 So, she is going to be expressing, in her role as a
2 special master, with my support, Judge Reinhart's support, very
3 aggressive expectations of you in terms of creating a vision
4 for discovery and figuring out what can be resolved and what
5 needs to come to the Court through motion practice.

6 Those aggressive deadlines are not intended to be
7 punitive, they are not intended to make you go through
8 unnecessary hoops, they are not being set for the sake of being
9 set. They are being set so as to ensure that you can meet the
10 deadlines that you set for yourself in this case, and so that
11 we can achieve them in the way that everybody had envisioned
12 from the outset.

13 So, I am very eager and will be checking in regularly
14 both through the conferences and through my dialogue with the
15 special master to see the output of your work with her so that
16 I can make a candid assessment of where you are, the viability
17 of your plans moving forward, and engaged to ensure that we
18 complete the discovery in this case in a way that matches the
19 excellence that you have shown in all aspects of the case, but
20 the focus now is on discovery.

21 I also realize that as we have come to the end of this
22 first year we are entering a new phase with respect to the
23 registry, and I am not going to take away from those who will
24 be addressing me and Judge Reinhart on the first topic of the
25 agenda, which is the registry, but I did want to note, finding

1 it fitting if unintentional, that we are beginning the process
2 at this point of exiting claims from the registry exactly at
3 the same time that we are beginning to pull the proof of use
4 and injury records, all of this happening at the one-year mark.

5 I don't know that I can say I planned it that way or
6 that it was always intended to match up or align in the way
7 that it has, but it is notable that that is where we are at the
8 one-year point.

9 We have had a recent PTO 59, which I know the
10 participants will address, that speaks to some of the exiting
11 issues and the process in which that is occurring, and then
12 there are just various other PTOs, but I think that was the
13 only one that has been entered since our last case management
14 conference on January 21st.

15 The registry, as I have always mentioned, has been a
16 truly remarkable vehicle in this case, and I expect that this
17 year we will see it enter a new phase as each side begins to
18 see the fruits of the labor of this past year. This year not
19 only will we see vetting and records assistance, but we will
20 also see it being used for data analytics in Defendant matching
21 and later to aid in framing the bellwether discussions.

22 I just want to conclude by taking a moment today to
23 recognize where we have come from, the next phase that we are
24 entering, and while we have a lot of difficult and substantial
25 challenges to work through in the next weeks, the next months,

1 we have come very far. So much has been accomplished in this
2 case and I think it is always important to take inventory on
3 where you were, remember the day that you put in for leadership
4 application, you were interviewed, you were selected, you got
5 appointed to a committee, you were asked to serve on a
6 committee, you have taken a deposition, you have been involved
7 in document review.

8 Each and every aspect of the case day by day, project
9 by project, a lot has been done, and I know that there is great
10 trepidation to some extent, maybe stress and anxiety about
11 moving forward and how do we get there, but I don't know that
12 you ever could have a year ago envisioned that you would
13 accomplish as much as you have accomplished to date.

14 That is to applaud you and to let you all recognize
15 and take note of what you have done. You should feel good
16 about it, but no rest for the weary.

17 You have to keep going, and to some extent, maybe even
18 ramp it up even more and the expectations might even be greater
19 because of the great groundwork you have laid. In many ways
20 you discovered exactly what you need, how you need it, and the
21 timeframe in which it must get done. So, I recognize that
22 there is much to do over these next months and critically with
23 the discovery process.

24 So, I did want to thank everyone for all of the work,
25 I want you to know it is much appreciated. As judges, it is

1 always a pleasure to preside over cases where lawyers are
2 working hard, where they are trying to do the right thing,
3 where they are trying to get along, where they are always being
4 professional with one another even if they are frustrated with
5 one another and they disagree with one another.

6 We are here to resolve disputes. Professor Dodge, she
7 is a professor as well as our special master, is there to see
8 whether you can resolve it before it becomes to a dispute that
9 needs to come to the Court, so work with her. She has our full
10 endorsement, and her vision aligns with what I have expressed
11 our vision to be, which I understand to be your vision.

12 So, I don't think anybody is working at cross
13 purposes, and when you hit bumps in the road, let her try to
14 help you work it out. If it can't be worked out, come on into
15 court and we will try to get you in as quickly as possible and
16 get our rulings out equally expeditiously. We recognize that
17 that is part of how these cases stay on track.

18 So, I think those are consistent themes that I have
19 said each and every time and I don't think they can be said
20 enough. We need to have that reinforcement each time we get
21 together to remind ourselves what we are doing, how we are
22 doing it, and that it is a partnership, all of us working
23 together to make sure that the case remains consistent with the
24 vision that we have set for it.

25 So, with that, I want to turn it over to those of you

1 who will be addressing the Court today to give the Court an
2 update. I received an agenda, and I understand that the first
3 topic is the registry.

4 And I would just remind counsel that when you turn
5 your video on -- and those of you who are presenting, you can
6 turn your video on -- always state your name before you speak
7 so that our court reporter, Pauline Stipes, whom I know you are
8 all familiar with, can make sure that her record is as perfect
9 as she demands of the record, so announcing your name is always
10 helpful to her.

11 So, with that, good afternoon, Mr. Petrosinelli and
12 Mr. Pulaski.

13 *MR. PETROSINELLI:* Good afternoon, your Honor.

14 *MR. PULASKI:* Good afternoon, Judge.

15 *MR. PETROSINELLI:* Your Honor, with your permission,
16 Mr. Pulaski is having problems with his computer system given
17 the power outage, (inaudible) so I will cover most of the
18 presentation, then he can add things at the end, if that's
19 okay.

20 *THE COURT:* Okay. You were coming in and out a little
21 bit, Mr. Petrosinelli. Let me mute my line.

22 *MR. PETROSINELLI:* Okay. Thank you, your Honor, again
23 Joe Petrosinelli for the Defendants.

24 Your Honor, I think we are at a stage with the census
25 where we kind of have a mature census and registry, which is

1 really great to see, especially in this stage in the
2 litigation. We have Census Plus forms on file, we have
3 identified deficiencies in those forms and are in the process
4 of correcting them.

5 We have done defense mapping, meaning the information
6 that the Defendants provided to LMI, the census vendor, has
7 been matched with the information that the claimants provided
8 on the census forms in terms of what products they potentially
9 used and which Defendants made those products.

10 And I would say the next stage, which your Honor
11 alluded to, will be more analytical tools like records
12 collection where we then map using those records.

13 So, for example, if a claimant said that their
14 recollection was they took a branded Zantac, and they were
15 matched to certain Defendants on that basis, but then the
16 records show they took generic Ranitidine, we'll do a shuffle
17 of that and rematch, if you will. So, that is where we are
18 headed next.

19 I think there have been two significant developments
20 since we last met, or one of them was right before we last met,
21 but that impact the census and spurred PTO 59. One is that the
22 Plaintiffs' leadership, as the Court knows, specified the
23 injuries that, at this point, that they intend to pursue in the
24 litigation, and that has an impact on the census in a way that
25 I will explain in a second.

1 And we had the deadline pass for the correction of the
2 first tranche of deficiencies, which are the largest tranche of
3 claim forms in the census, so we had to deal with, as your
4 Honor alluded to, a process for exit notices.

5 That resulted in us presenting to the Court PTO 59. I
6 know the Court knows what is in the PTO, but perhaps for the
7 benefit of others on the phone, just to my mind the two or
8 three most important things are, number one, as I mentioned,
9 with the Plaintiffs' leadership having designated the injuries
10 that they intend to pursue in the litigation on behalf of all
11 Plaintiffs, we have a number of census forms where people have
12 alleged different injuries, and what Mr. Pulaski and I decided,
13 along with Special Master Dodge, is the best thing to do with
14 those would be to sort of hit the pause button for those right
15 now.

16 So, in the PTO we say we are not going to collect
17 medical records for those forms right at the moment. Those
18 claimants who have deficiencies and allege those injuries, they
19 don't have to correct those deficiencies at the moment, but
20 they can stay in the registry while we figure out what the best
21 way is to deal with those claims.

22 And I think the next PTO that your Honor will see, Mr.
23 Pulaski and Special Master Dodge and I are working on a PTO for
24 how to deal with those claimants and the timeline for doing
25 that. For now, we have sort of just paused them and put them

1 aside.

2 So, that was a big part of PTO 59.

3 I think the second thing is, as your Honor knows, we
4 have had some technical issues with -- just given the mass of
5 data that we have, and I think the Plaintiffs had some concern,
6 and I think it was legitimate, that if someone -- a claimant or
7 a claimant's counsel had submitted their data on time, but for
8 some technical reason it didn't get to LMI until sometime
9 later, they wanted to be sure that they weren't being penalized
10 for that, and that it was clear that their census form had been
11 submitted on time and they were getting the benefit of the
12 registry, so we made that clear in PTO 59.

13 Then, the final thing is what the Court mentioned, we
14 needed a process for dealing with a substantial number of claim
15 forms that -- or Census Plus forms that are still deficient for
16 whatever reason, and in PTO 59, your Honor, it gave the special
17 master the discretion to come up with a process for that.

18 She, as she always does, jumped on that very quickly
19 and we have a process. Without getting into the details of it,
20 what I think I can say is, it's sort of a rolling notice period
21 over the next 30 days where certain tranches of claimants'
22 counsel will get notices, the so-called five-day notices that,
23 absent good cause shown, certain claimants would be exited from
24 the registry.

25 The first set of those notices went out on Monday of

1 this week, and then we have three other tranches over the next
2 30 days, and so LMI is doing a terrific job getting those out.

3 I will say with the ones that went out on Monday, you
4 know, several people are affected by the weather we have had in
5 the middle of the country where they can't get access to their
6 computer systems, and so, I think Mr. Pulaski and Special
7 Master Dodge and I will be very lenient about extensions for
8 people who are affected by IT issues or other computer issues
9 brought about by the terrible weather we have been having in
10 the middle of the country, or anywhere in the country for that
11 matter. It is sleeting out in D.C. today, so it is not so nice
12 here either.

13 The point is, that process is well under way. It is
14 very organized. As you know, the special master is a stickler
15 for organization, and that is needed for this because it is
16 just a herculean task. So, that is kind of the summary of PTO
17 59. I think we are right where we want to be.

18 I would say to the Court on this last piece about
19 exiting claimants, I am not discouraged by that, nor do I think
20 it is at all unexpected. In any large MDL, and this one is
21 quite large, there are claimants who -- they decide they don't
22 want to participate in the litigation any more, they decide
23 they don't want to provide certain information, which is
24 totally fine. It is a normal part of this process that we will
25 exit out probably quite a number of claimants, but a small

1 number, I would guess, as compared to the entire corpus of
2 claim forms that we have.

3 So, I don't view that at all as a negative; I view
4 that actually as a positive. That is exactly part of the
5 vetting that the MDL Rules Committee and others have talked
6 about as really essential in litigations of this size, so I
7 think that is right on track.

8 The final thing I will say, then I will turn it over
9 to Mr. Pulaski, that relates -- this sort of relates to the
10 census, which is that we are also going to be talking about
11 potential amendments to the short form complaint order. So you
12 have filed Plaintiffs who have Census Plus forms in the census,
13 but now we have had an amended master personal injury
14 complaint, and so the original short form complaint was tagged
15 to the original personal injury complaint, so we are talking
16 about an amendment to that order to streamline the process for
17 amendments.

18 There are also some other potential amendments to the
19 short form complaint order that we, on the Defense side, are
20 thinking about, so I wanted to tell the Court that we will be
21 speaking with the Plaintiffs about that over the next week or
22 so and I imagine the Court will see a PTO with respect to that
23 as well. It is sort of indirectly related to the census, so we
24 put it here in the agenda.

25 That is the report on the census and registry from my

1 perspective, your Honor, and I will ask Mr. Pulaski if he has
2 anything to add.

3 *THE COURT:* Okay. Thank you.

4 *MR. PULASKI:* Thank you, Joe.

5 Judge, may I proceed?

6 *THE COURT:* You may. Sorry, I had to put my
7 microphone back on. You may proceed.

8 *MR. PULASKI:* Adam Pulaski, Pulaski and Kherkher, for
9 the Plaintiffs, your Honor.

10 So, let me start off. As Joe said, there were a
11 number of items in PTO 59 that we created that were really a
12 benefit for everyone, for the Court, for the Defense, for the
13 Plaintiffs. I want to briefly go over that for some of the
14 people that may be on this call that haven't read PTO 59. I am
15 going to urge you to go back and please reread it as, at least
16 on the Plaintiffs' side, it affects how you proceed in
17 litigation with not only your current CPFs, but future CPFs
18 that you may file.

19 We did -- as Mr. Petrosinelli stated, we did away with
20 the quarterly filing requirements because, at this point, it
21 doesn't really serve a purpose for us, and now that the
22 registry process is well under way and starting to run very
23 smoothly, we are not requiring people to have a quarterly
24 deadline to submit their CPF.

25 It just needs to be submitted when ready, and this

1 will allow everybody to fill out and complete full CPFs without
2 any deficiencies so that we don't really have a deficiency
3 process going forward, hopefully.

4 Secondly, we have the agreement between the Defense
5 and Plaintiffs, in conjunction with Special Master Dodge, that
6 for the ten non-designated cancers that we currently have, they
7 will remain intact in the CPF, in the registry, and
8 deficiencies will need to be cured, and you will be allowed to
9 order not only your loyalty program records and prescription
10 records through the retail process that we have set up at no
11 cost to the Plaintiffs' Bar, but also, we will begin now
12 ordering records through Lexitas, which is the vendor that has
13 been agreed to by the Defense and Plaintiffs, to start ordering
14 the protocol records for proof of use and proof of injury
15 through the medical records provider where both Defense and
16 Plaintiffs are sharing in the cost of those records.

17 So, that process will now take place for those that
18 have clients in the registry that are of the ten designated
19 cancers.

20 For those that aren't the ten designated cancers, as
21 Mr. Petrosinelli said, we have agreed to stay the process for
22 curing deficiencies and for moving forward and actively
23 participating in the record process. It is all on stay.

24 Obviously, your Honor, we have some time to amend our
25 notices as to designated cancers, and we will continue to do

1 that, and at some time in the future, so that it is on the
2 Court's radar, Mr. Petrosinelli and I and Special Master Dodge
3 will be getting together to discuss how we treat these
4 non-designated cancers in the future, going forward. It's a
5 little premature to do that right now, but we are discussing
6 it, working on it, and you will probably see a PTO from us in
7 the near term.

8 Secondly, to address the short form complaint issue
9 briefly that Mr. Petrosinelli just brought up, in our mind it
10 is a bit premature to start discussing the short form complaint
11 issue. We know that we would like the short form complaint to
12 follow along with the master complaint.

13 It may be a bit premature to work with anything
14 on that yet, although we will be in discussions with Mr.
15 Petrosinelli, and the entire Defense, with Special Master
16 Dodge.

17 And the reason why I say it may be premature is that
18 now that we have replied our master complaints there will
19 probably be a second round of Motions to Dismiss, and to go
20 ahead now and change the short form complaints and really make
21 a determination on what to do with those, and then only to see
22 some changes need to be made to the master complaints would
23 just be inefficient, and I think a small wait on clarifying and
24 correcting issues that we have with each other on the short
25 form complaint would be best served if we just put that off

1 until after we looked at the Motions to Dismiss from the
2 Defense that may be coming.

3 Again, we are thinking about items, how to handle
4 them, certainly as it relates to those who will be filing cases
5 from today forward with respect to short form complaints, and
6 which short form complaint they should start using for filing,
7 and we will definitely get with Defense and work on that and
8 work on a PTO to turn over to the Court.

9 Finally, as it relates to the registry, there are
10 70,000 plus Plaintiffs in the registry, perhaps 15 to
11 20 percent of those are the non-designated cancers. So, that
12 gets us down to still a very large number. We have had
13 challenges with data transfer between LMI and certain vendors
14 and certain law firms just because it is an arduous process
15 with the large number of columns with all of our claims, but I
16 think it is now running as smoothly as we can hope and very
17 well.

18 You know, the deficiency process was long and it took
19 a lot of man hours and a lot of work on the Plaintiffs' side,
20 but we have worked through it. As Mr. Petrosinelli said,
21 Special Master Dodge has been incredible to work with on this,
22 and she is working diligently, I mean harder -- as hard or
23 harder than Joe and I are, on ensuring that those who have
24 attempted to cure the deficiencies and had issues that were out
25 of their control, or other issues, she is talking to them about

1 extensions and everything else, and I think that we will see a
2 very good smooth process.

3 Obviously, some Plaintiffs will be exited, but just so
4 the Plaintiff Bar understands and everybody on the call
5 understands, this is not the end of the litigation. Once you
6 get your five-day deficiency notice, you have five days to
7 continue to cure. After that, you are removed from the
8 registry, but still have 90 days to continue with the tolling,
9 and 90 days to cure, to reenter into the registry with the
10 continued tolling that has stayed in effect.

11 So, there are a number of items in place to protect
12 Plaintiffs and their claims, while at the same time enough of a
13 bite for the Defense also to ensure that there are going to
14 be claims that exit the registry if they are not handled
15 properly.

16 That is about everything I have for today, your Honor.

17 *THE COURT:* I appreciate that excellent presentation,
18 you covered a lot of ground.

19 I just want to respond to a few points. I had a
20 question, but I think you answered it. I want to make sure I
21 heard it correctly. It is not critical, it is precise, but I
22 was just trying to get a sense of the claimants who have listed
23 non-designated cancers, the non-ten for now. As you note, Mr.
24 Pulaski, correctly, it is a first list, a preliminary list, if
25 you will. You have the ability to amend that under the case

1 management order.

2 Did you say it was about 15 to 20 percent of the
3 claimants who didn't --

4 MR. PULASKI: I believe that is correct.

5 THE COURT: Okay. So, yes, I just wanted to echo a
6 couple of points that you both have raised.

7 What has struck me about the census and registry
8 process is its fairness, its practicality, its usefulness, in
9 other words. I view it as a way for people to participate in
10 the litigation, but not actively litigate.

11 So, you have the active litigants, and that is what we
12 have going on with the filed Plaintiffs, and the Defendants are
13 vigorously defending those claims brought by the filed
14 Plaintiffs, but then you have the number that, Mr. Pulaski, you
15 have used, which is 70,000 people who are utilizing this
16 registry to, you know, protect their rights insofar as the
17 tolling of Statute of Limitations, just seems so eminently
18 fair.

19 This exiting process and deficiency process, as
20 complicated as it may seem to the outsider, and even to the
21 Court as she enters her orders, in essence, distills down to
22 what I think the intent by the Court, and shared by the
23 parties, which is not to set anybody up for failure and, you
24 know, a gotcha situation where, gee, you missed your deadline,
25 you are out, one up for the Defendants because now that is one

1 fewer claimant that they have to worry about, not at all.

2 It is truly about having those people in who deserve
3 to be in, who have -- what I mean by that is viable claims. No
4 one knows the merits of anything yet, nothing has really been
5 determined yet from a merits standpoint. We have just been
6 through one round of Motions to Dismiss, and we have
7 repleadings, one already repiled and others coming in.

8 So, it is not about the merits, it is about allowing
9 the parties to preserve rights, to make an ultimate decision
10 about whether they are going to become a filed Plaintiff or not
11 at some point down the road.

12 So many processes have been put in place through all
13 of the PTOs to provide ample notice to counsel representing the
14 claimants or, to the extent the claimants are unrepresented,
15 the unrepresented claimants, both during the time that they are
16 in the registry about the deficiencies they have, aid being
17 brought to their side to try to help them cure those
18 deficiencies, giving them notice when the deficiencies still
19 haven't been cured all the way up to a five-day notice, and
20 even at that, only a handful are going to be exited in that
21 first tranche, recognizing that there are quite a few, quite
22 frankly, that have varying degrees of deficiencies.

23 So, the parties seem to be working together to try to
24 help the claimants who have deficiencies to at least understand
25 that they have the deficiencies. At the end of the day, it is

1 up to counsel and the claimants to cure the deficiencies.
2 Nobody can do that but them. But the idea is to give you every
3 opportunity to do it.

4 So, if there is a viable claim that you believe you
5 have, that you remain in the registry, but if after a period of
6 time -- and those who are exiting now have been in at least six
7 months, if not longer -- that they are exited, but they still
8 have this 90-day period to cure and come back.

9 So, it just strikes me as eminently fair. It was very
10 important to me that there was transparency, due process,
11 opportunity to cure, and I think, as Mr. Petrosinelli
12 referenced, it is true that there is one issue, among others,
13 but one predominant issue that has arisen in the discussions
14 within the Judicial Conference Rules Committee MDL subcommittee
15 about how to look at MDLs and do they need rules or not, but
16 separate and apart from whether one is in favor of rule making
17 or not, there seems to be consensus on both the Plaintiff and
18 the Defense side that early vetting is really important to both
19 sides.

20 That is exactly what the registry is doing and that is
21 exactly what the exiting process does as well. It allows the
22 parties to have greater clarity on those who are going to be
23 litigating and those who are not.

24 Now, it will be an interesting observation -- I asked,
25 actually, Special Master Dodge if there was any way to track

1 those who leave the registry, whether they ultimately file. I
2 don't know how easy that is to track, but I think at the end of
3 the day, that might be an interesting data point, to know
4 whether when they exit, that that is the end of their
5 involvement in the litigation, or whether they emerge in a new
6 forum at a different time in a different way. That will speak
7 to questions that we on the MDL subcommittee are looking at
8 with respect to vetting.

9 That isn't a critical issue in terms of understanding,
10 at least for purposes of this litigation, if claimants are
11 exiting and that means that they either don't want to pursue
12 the case -- and that is not a bad thing or a good thing, it is
13 just the reality of what the case ultimately will become.

14 So, I just want to really remark on the fairness, the
15 transparency, the processes that have been put in place by both
16 sides to basically keep claimants in, but with full recognition
17 that some claimants don't want to stay in, shouldn't stay in,
18 don't belong in, and that is why you have an exit process, a
19 deficiency process, a cure period.

20 I just want to commend the parties for taking a
21 cutting edge approach, a novel approach, an approach that is
22 fraught with, I know, hurdles and frustrations, particularly
23 when you are dealing with vendors and technology and the
24 various hiccups, but you don't seem to give up. You keep
25 plowing through and I am very pleased with how it is going.

1 I would just encourage anyone who isn't in the smaller
2 bubble of those charged with working on the registry and census
3 that just get onto the website and look at the PTOs that have
4 been entered from the inception setting up the registry and the
5 initial census and Census Plus forms, and then upwards of eight
6 implementing census orders, and it will tell a story, and I
7 think you will understand it. So, these comments will kind of
8 make sense to you when you go back and reread these orders.

9 I want you to know that the Court finds that it is a
10 very fair and beneficial process for all parties, and it is not
11 designed to benefit or hurt anybody, but to help everyone, and
12 so, I thank you for your work on this and thank you for your
13 presentation.

14 Unless you wanted to make any response to my comments
15 or further comments, I am pleased with the presentation today.

16 *MR. PULASKI:* Thank you, Judge. Thank you, Judge
17 Reinhart. I appreciate it.

18 *MR. PETROSINELLI:* Thank you, your Honor. Good to see
19 you both.

20 *THE COURT:* Good to see you. Okay.

21 I guess I will just say that I look forward, you know,
22 to seeing what you come up with on the short form complaints.
23 I appreciate that there may be a differences of opinion as to
24 not whether short form complaints should be amended, but when
25 they should be amended, and I trust that you will meet and

1 confer and likely reach consensus.

2 It is okay if you don't, and I'd want to hear more in,
3 obviously, greater detail the pros and cons of doing it in the
4 two different ways that you seem to generally speak to, whether
5 it is now or waiting after the second round, but I am confident
6 that that is a fixable problem if it, in fact, becomes a
7 problem.

8 MR. PETROSINELLI: I think if Mr. Pulaski wants to
9 stipulate to the granting of some of our Motions to Dismiss, we
10 will be fine.

11 MR. PULASKI: Let me think about that.

12 MR. PETROSINELLI: Thank you, your Honor.

13 THE COURT: Okay. Thank you.

14 MR. PULASKI: Thank you, Judge.

15 THE COURT: The next matter we have on the agenda is
16 the State/Federal. I know at the last conference we were able
17 to meet, I think for the first time at least formally, Mr.
18 Matthews, who is serving as the State/Federal coordinator for
19 the Plaintiffs, and then we have met Mr. Agneshwar and we had
20 Ms. Harris, who also is welcome to turn her screen on, who will
21 speak to the State/Federal coordination issues from the Defense
22 standpoint.

23 So, I look forward to hearing your presentation, as I
24 know it is very important to the parties to have that
25 coordination and, you know, to know what is happening and to

1 keep this Court informed about what is happening, and I know
2 that State Court judges appreciate knowing who you are and what
3 you are doing to try to coordinate the efforts that are going
4 on in Federal versus those which are going on in the various
5 State Court cases around the country.

6 So a very important topic, and I will turn my mike off
7 and look forward to hearing you present.

8 *MR. AGNESHWAR:* Thank you, your Honor, Anand
9 Agneshwar. I will just kick it off.

10 We are still not at the point where we feel that we
11 need the Court's intervention on anything, but we have a couple
12 of things, and I am going to turn it over to Ms. Harris to fill
13 the Court in on future jurisdictions and to introduce herself.
14 She is a next gener.

15 *MS. HARRIS:* Good afternoon, your Honor, TaCara
16 Harris, a senior associate from King and Spalding in Atlanta,
17 here representing Boehringer Ingelheim, but presenting today on
18 behalf of all the Defendants.

19 I appreciate the opportunity from you and our more
20 seasoned lawyers to present today, to provide the Court with a
21 few brief updates from our State Court litigation, but as the
22 next generation designee, I thought I would begin by sharing a
23 little bit about myself, and my background, and a few fun
24 facts, if that is okay.

25 I was originally born in Rome, Georgia, not Italy,

1 it's a small town about 60 miles north of Atlanta. I am an
2 only child and my father served in the U.S. Army for 24 years,
3 so growing up in a military family, I lived all over the
4 country, including a two-year stint in Fort Greely, Alaska.
5 Interestingly enough, in 1996, my parents and I actually drove
6 from Augusta, Georgia to Alaska on an eight-day road trip
7 through Canada and without GPS and cell phone.

8 I attended high school in Augusta, Georgia and played
9 second base for the varsity boys baseball team. I then
10 attended Vanderbilt University where I obtained my
11 undergraduate degree in sociology, and then attended Vanderbilt
12 for law school as well. Apparently we were referred to as
13 double doors.

14 Following law school, I actually began my practice in
15 2013 at Baker Donaldson in Nashville, Tennessee, where I
16 practiced general commercial and health care litigation, as
17 well as labor and employment. Then in 2016, my husband matched
18 for his residency in general surgery at Emory, so we moved to
19 Atlanta and I joined King and Spalding's trial and global
20 disputes practice, focusing specifically on pharma and
21 medical device product liability litigation.

22 Last year, in May, in the height of the pandemic, I
23 gave birth to my son, Lincoln Elijah. He is now a nine month
24 old bouncing baby boy who has spent most of his life in
25 quarantine, but loves to smile and dance and is certainly

1 keeping me on my toes these days.

2 Since my return to work from maternity leave, I have
3 served as BI's jurisdictional lead for the Tennessee docket
4 overseeing case management and strategy, and assisting with any
5 State and Federal Court coordination issues.

6 So, today I would like to just update the Court
7 briefly as to a few developments in State Court since our last
8 status conference, particularly in California, Illinois, and
9 Tennessee where we have had some movement.

10 First, in Cook County, Illinois there are currently
11 six total cases, but only one case, the Hawkins case, names the
12 brand Defendants. Last month, on January 19th, the Northern
13 District of Illinois granted Plaintiffs' motion to remand that
14 case back to the Circuit Court of Cook County, so we are now
15 back in State Court. Since there is no consolidation yet in
16 Cook County, the parties are to meet and confer to develop a
17 schedule for case management moving forward there.

18 Secondly, in California, in Alameda County, Plaintiffs
19 have filed a petition for a judicial counsel coordinating
20 proceeding, referred to as a JCCP, to consolidate and
21 coordinate the cases before Judge Winifred Smith and to
22 determine the coordination venue.

23 There is currently a hearing schedule on that petition
24 for March 3rd, and although the cases sought to be coordinated
25 currently name only California based retailers and Doe

1 Defendants, and the brand Defendants are actually not yet named
2 in those cases, we expect that they will be named down the
3 road, and therefore we filed an unopposed motion for leave to
4 respond to that petition and to also join in on the oral
5 argument at that coordination hearing on March 3rd. We are
6 currently awaiting an order from Judge Smith on that motion.

7 Finally, in Tennessee is where we have had most
8 activity in State Court. As you know, we have cases both in
9 Hamilton County and in Shelby County.

10 In Hamilton, 53 cases total have been filed, three of
11 those cases were voluntarily dismissed as to all Defendants.
12 Pfizer has also been voluntarily dismissed from all the cases,
13 and Sanofi and Chattem, which is the only non-diverse party,
14 were dismissed from eight cases in Hamilton County, and so BI
15 and GSK have removed those eight cases to Federal Court, and
16 they have been conditionally transferred to the MDL.

17 So, that leaves us with 42 cases in the Circuit Court
18 for Hamilton County, and they are all assigned to Judge J. B.
19 Bennett of Division One for coordination on all pretrial
20 matters, including responsive pleadings, discovery, and
21 dispositive motions.

22 Judge Bennett held a case management conference last
23 month on the 22nd, and at the beginning of that conference he
24 mentioned, Judge Rosenberg, that you reached out to him via
25 email offering to provide any assistance, so we wanted to thank

1 you. We appreciate you reaching out to him to offer up your
2 assistance.

3 *THE COURT:* I will just interrupt and -- it is a
4 beautiful presentation, so I hate to interrupt you, but I just
5 wanted to -- I am looking for where my telephone notes are. I
6 have since spoken with him. So, if at that time he said I had
7 emailed him, that was accurate, and I followed up, and we in
8 fact had a telephone call, a very nice telephone call, and it
9 was a pleasure to speak with him.

10 I think there was great benefit in being able to
11 answer any questions that he had about the status of the MDL
12 and, you know, any questions that I had about that litigation
13 before him.

14 *MS. HARRIS:* Thank you, thank you so much for reaching
15 out to him. Of course, we are looking for ways that we can
16 coordinate and be more efficient, so we appreciate you reaching
17 out on that.

18 At that status conference on the 22nd last month,
19 Judge Bennett addressed Motions to Dismiss, which have now been
20 fully briefed in Hamilton County. Defendants moved to dismiss
21 Plaintiffs' complaints on preemption grounds, as well as
22 Plaintiffs' failure to plead valid claims under the Tennessee
23 Products Liability Act and the Tennessee Consumer Protection
24 Act.

25 Judge Bennett has now scheduled a full day, March 9,

1 2021, for argument on those motions. Assuming the cases
2 survive Motions to Dismiss, the Court also set a scheduling
3 conference for April 30th, and Judge Bennett plans at that
4 scheduling conference to establish a discovery and case
5 management schedule.

6 And then, in the meantime, the parties are finalizing
7 a confidentiality order, privilege protocol and ESI protocol to
8 govern discovery and document production. We actually have a
9 meet and confer scheduled for today to try and get those
10 finalized. Also, the Plaintiffs have served requests for
11 production in Hamilton County and Defendants' responses to
12 those are due next week.

13 Then, over in Shelby County, Defendants have been
14 served in 15 cases, but Pfizer has been nonsuited from all 15
15 there as well. Those 15 cases, plus three that were recently
16 filed, are consolidated for pretrial purposes before Judge
17 Jerry Stokes in Division Six of Hamilton County Circuit Court.

18 Defendants have filed Motions to Dismiss complaints
19 and amended complaints in all but three of those recently filed
20 cases, but a hearing has not yet been set on those motions in
21 Shelby County.

22 The parties in Shelby County have also begun to engage
23 in discovery. Defendant served responses to Plaintiffs'
24 interrogatories and requests for production in one Shelby
25 County case last week, and like in Hamilton, the parties are

1 working to finalize those discovery orders governing
2 confidentiality, privilege, and ESI, and hope to have those on
3 file soon.

4 That is it for me, your Honor, and I look forward to
5 the brown bag lunch on the 24th. Thanks so much for having me
6 today.

7 *THE COURT:* Thank you for your presentation.

8 I was going to mention that I had reached out to Judge
9 Stokes as well, but have not heard back yet. That is the
10 status, and I want to thank you for your presentation.

11 I would say that is quite a bit that has gone on in
12 your life over the last nine months. I want to congratulate
13 you on your nine month old baby boy, and what a gift, and among
14 many silver linings that I think I try to remember to highlight
15 when we all meet, because this whole case has been during COVID
16 and I know there have been a lot of tragedies and setbacks and
17 difficulties, but some silver linings are stories such as yours
18 where you have given birth to your first baby boy, and I
19 presume that you are able to spend probably a little bit more
20 time with him because of COVID, as many parents are with their
21 even adult children.

22 So, that is a gift, and what a remarkable career
23 you've had and thank you for the presentation.

24 *MS. HARRIS:* Thank you, your Honor.

25 *MR. MATTHEWS:* Judge, I think I will go next. This is

1 David Matthews. Good afternoon, Judges Rosenberg and Reinhart.

2 I have recently been appointed the State Court liaison
3 in this MDL, so I am catching up, if you will, on some matters,
4 but in that role I have reached out to all the known
5 Plaintiffs' counsel with State Court cases pending throughout
6 the country, and that includes cases -- and I will try not to
7 repeat what Ms. Harris just talked about -- but I did reach out
8 to and have communicated with the attorneys in Memphis,
9 Tennessee, as well as Chattanooga, in Chicago, Cook County, as
10 well as the California litigation that is ongoing and the
11 lawyers predominantly in Alameda County, as well as lawyers in
12 Texas that have cases pending in Nueces and Jim Wells County.

13 So, we have opened up lines of communication, if you
14 will, and will continue to communicate as directed by the Court
15 or as questions arise.

16 I have litigated -- my main office is in Houston,
17 Texas, but I have offices in California and in New York, and
18 have litigated throughout the country for over 30 years in both
19 MDLs and in State Courts, and have tried cases in both MDLs and
20 State Courts throughout the country, so I certainly have a
21 great deal of background in the issues that arise with
22 coordination and communications with Federal Courts and then,
23 of course, the State Court judges and litigants across the
24 country.

25 That is a little bit of my background. I will say

1 that, again without repeating, overall the State Court cases
2 are in the early stages of litigation. Some have Motions to
3 Dismiss pending, some negotiating ESI protocols and
4 confidentiality orders, discovery protocols, and those are
5 ongoing. All the lawyers I have talked to on the Plaintiffs'
6 side believe that they will be agreed upon shortly, and I think
7 they are making tremendous progress across the country.

8 As stated, in California, where there are over a
9 thousand cases pending in Alameda County, the State Court
10 litigation is in the process of being coordinated through the
11 judicial counsel coordinating proceedings, and that is set for
12 March 3rd, which is in a couple weeks.

13 Other than that, the numbers are fairly small in the
14 counties that I just mentioned; 25 cases in Judge Stokes'
15 court, approximately ten in Cook County, although some are
16 being filed as we speak, and then over a thousand in
17 California, and just two in Texas State Courts.

18 So, I remain at the ready. At the Court's direction,
19 I will continually reach out as needed to secure that we have
20 proper coordination with the Courts, and we do so in an orderly
21 manner, and in that regard, I am at the Court's direction as
22 needed.

23 *THE COURT:* Well, with all of your experience and all
24 the years you have been litigating in Federal and State and
25 around the country with MDLs and non-MDLs, what do you think is

1 most important for this Court to do to be mindful of
2 Federal/State coordination?

3 It is one thing for this Court to be kept apprised,
4 and that certainly is what you are doing, and I appreciate that
5 so I know what is happening, and can reach out to certain
6 judges when asked to do so or when appropriate, but do you
7 think that there is something more that this Court can and
8 should do to effectuate State/Federal coordination, however one
9 defines that?

10 One aspect of coordination is just simply both sides
11 knowing what the other is doing; State Courts knowing what we
12 are doing, we know what states are doing. I know that Judge
13 Bennett found that very helpful. I think a complement to all
14 of the lawyers in this case because you have in large part
15 proposed the pretrial orders, the 59 of them, you have reached
16 consensus, you have presented them to the Court. Judge Bennett
17 said he has adopted a lot of those orders, so I think that is a
18 high compliment to all of you who have done the work in this
19 case.

20 So, I guess that is one way that -- with the State
21 Court judge knowing what a Federal Court judge is doing. I
22 think I have told you before I was a State Court judge and
23 State Court judges have it hard, they have higher case dockets
24 and they don't have the help and resources that we Federal
25 judges have, so to have the benefit of being able to be aware

1 of other orders and at least elect to use part or all of those
2 orders as he or she deems fitting is really a tremendous asset
3 to a State Court judge.

4 I know Judge Bennett raised issues like depositions,
5 is there a way that there could be coordination of depositions.
6 I am sure there are a myriad of issues, but, Mr. Matthews, do
7 you have any suggestions as to what you think this Court should
8 do to facilitate, not interrupt, not intrude, not step on toes,
9 not command, direct, or usurp, but just to facilitate
10 coordination that is beneficial for all, all of the
11 participants at this stage?

12 *MR. MATTHEWS:* Your Honor, David Matthews again.

13 Yes, I have certainly referenced the Manual for
14 Complex Litigation, and I certainly have experienced a number
15 of issues and they arise as they arise.

16 I do think the coordination of depositions is almost
17 always the number one priority because of just the number of
18 litigants and try to do it -- take the depositions in an
19 orderly fashion where a certain amount of time is allotted for
20 State Court litigants, State Court lawyers. I think a protocol
21 could be developed where we have coordination.

22 I think it is going to have to be -- as I am the one
23 appointed, it will have to be a certain communication through
24 me to the Plaintiffs' counsel. I think setting up that type of
25 protocol is very important.

1 Obviously, Courts vary from state to state, the state
2 laws and state jurisdictions vary. As an example, priority
3 trial settings in State Court where a case has to be tried, as
4 an example, where imminent death may occur, there are certain
5 states that require expedited trial settings. That would be
6 something that could come up. Again, that is really going to
7 be a case-by-case example of what I think the variances between
8 the states entails.

9 I perceive my job as to understand an issue before it
10 becomes one and then present it to the Court and the CMCs and
11 address those as they come up.

12 I think that there is going to be issues because there
13 always are, and I don't think that is a bad thing, it is just
14 try to make these compatible. I perceive my job as identifying
15 those problems and helping out as I can and bringing those up
16 with CMCs.

17 *THE COURT:* With respect to deposition protocol, do
18 you think that is something that this Court would enter, like
19 contemplate an order that relates to a deposition protocol?
20 Would it be a mandatory situation, would it be guidance?

21 I don't know if you have talked to the Defense about
22 it, or talking to the leads.

23 I am not sure where the noise is coming from in the
24 background.

25 Maybe that is something to be able to, you know, talk

1 to others about and see whether it might be appropriate to
2 consider such a protocol.

3 *MR. MATTHEWS:* I think that is a good idea, and I am
4 certainly willing to reach out to the leads on both sides of
5 this case and discuss those matters.

6 *MR. PULASKI:* Your Honor, if I may --

7 *THE COURT:* I was just going to say -- sorry to cut
8 you off, Mr. Pulaski. As long as we are talking about this, if
9 any of the leads for either side, if you have already given
10 thought to that, or you have any ideas, or you think it is
11 something that needs to really be addressed first amongst
12 yourselves, I don't want to spring a topic up or an issue, but
13 it is something that certainly would be of interest to the
14 Court to know others views on that.

15 *MR. PULASKI:* Your Honor, I can tell you we already
16 have our depo protocol in this case. Like Mr. Matthews stated,
17 there are problems that arise. We don't know what the problems
18 are until they are -- (inaudible).

19 Sorry, can you hear me?

20 And so, at this point, again, I think it may be
21 premature to start talking about depo protocols. We have
22 issues, we have the California cases. I know that the brands
23 are getting involved there to some degree in discussions with
24 the attorneys out there.

25 But I think at this point it is just, one, we weren't

1 prepared to discuss it at this CMC because it wasn't on the
2 agenda. We would like to talk ourselves, Mr. Matthews, and go
3 ahead, but I think we won't know what the problems are or the
4 coordination issues are until they come up, and I don't want to
5 pretend that I can guess what every situation may be in all of
6 the different courts that are out there.

7 And I think, again, it is just, at this point, a
8 little bit premature to get into that, and I would certainly
9 like the ability to get with everybody on our side to discuss
10 it before we really brought it up with the Court.

11 MR. AGNESHWAR: Your Honor, could I speak to your
12 question?

13 THE COURT: Yes, that makes sense. Yes, absolutely.
14 And I do know that we obviously have orders. That is why my
15 eyes are diverted over here, because I have an iPad over here
16 with all of the orders.

17 I know that we have done some deposition orders, so,
18 you know, it may be that I am not recalling if there is
19 something in one of those orders or not, but by all means it is
20 something that you can take the time to mull over and discuss.

21 Yes, Mr. Agneshwar, what did you want to say?

22 MR. AGNESHWAR: I just wanted to respond to your
23 question from the Defense perspective about what can an MDL
24 Court do about coordination.

25 I think, number one, is something that you have

1 already done, your Honor, is the open line of communication.
2 Sometimes the parties submit orders, the MDL Court did this,
3 the MDL Court did that. Having an open line of communication
4 between the judges can give -- the judge can understand why a
5 certain order was done, why a timeframe is what it is, what are
6 the different moving parts, what are the complexities. That in
7 itself is a huge push forward in getting coordination.

8 As we move forward in the litigation, the reality is
9 that some State Court litigations are going to go very
10 smoothly, coordinated with the MDL and not duplicating
11 discovery and things like that, but there are going to be
12 situations where that is not the case, and that is when the
13 line of communication becomes extra helpful.

14 Your Honor has also pointed out depositions as one
15 place where there can be coordination, and the types of things
16 that I have seen are deposition limits on how many hours, how
17 many people questioned, and the use of depositions in various
18 litigations. That is definitely one thing.

19 Also, in prior litigations what I have seen is
20 sometimes joint hearings on things that are going to be
21 recurring throughout litigation and coming up in Federal and
22 State Courts, and if there is briefing at the same time or at
23 similar times, it makes sense to have judges preside jointly
24 over the case, State and Federal judges. That has been a
25 helpful thing at times.

1 Sometimes I have even seen when a CMC is addressing
2 something of nationwide importance in the whole litigation to
3 invite State Court judges to join the CMCs.

4 I think right now, where I see it, is so far the MDL
5 Court -- because things are going so fast in the MDL Court, it
6 is so far ahead of anything that is happening in State Court,
7 so I think so far we have seen we are getting off the ground
8 with case management orders and things, and in the JCCP, we are
9 seeing like we don't have a coordinated proceeding yet.

10 I suspect in a month or two we are going to have a
11 coordination judge in California, and when you have that kind
12 of State Court mini MDL and the Federal MDL, that kind of
13 coordination becomes all the more paramount.

14 So, right now we are just kind of tipping our toe in
15 the water and keeping your Honors informed and providing the
16 names of the judges to begin the line of communication, but I
17 think there definitely will be things when we go down the road
18 where we are going to want more close coordination on
19 substantive things, or at least to request it.

20 *THE COURT:* Okay. Thank you.

21 *MR. PULASKI:* Your Honor, if I may briefly respond.

22 *THE COURT:* Yes.

23 *MR. PULASKI:* While Mr. Agneshwar may believe that
24 everything needs to be completely succinct and coordinated,
25 there is some autonomy with the State Courts. I know there are

1 issues with -- not issues, but the State Courts have their own
2 agendas, Federal Courts have their agenda, and while you are
3 the lead in the MDL on this, I know that while we will be
4 coordinating, we certainly respect our brethren on the State
5 Court side of things and how they want to proceed in this
6 litigation and do not want to, like you said, step on toes and
7 control them.

8 There are, obviously, certain issues where we need to
9 discuss coordination, some issues where we may not be able to
10 coordinate certain circumstances, which shouldn't be a problem.
11 We will figure that, again, out as these issues come about.

12 *THE COURT:* Okay.

13 *MR. McGLAMRY:* Your Honor, Mike McGlamry. If I might
14 address one of your earlier questions sort of directly.

15 *THE COURT:* Yes.

16 *MR. McGLAMRY:* We have PTO 54 that is in place. That
17 is the deposition protocol and, obviously, most of us who were
18 involved in negotiating that and working that up, that was a
19 long time ago, and initially in the discussions --

20 *THE COURT:* It was only November, just for the record,
21 but yes, it does seem like a long time ago.

22 *MR. McGLAMRY:* To us, that is a long time ago, your
23 Honor. My point is this, initially there was language in it
24 that contemplated coordination, but there weren't any
25 coordinations, so the language went then to essentially trying

1 to cooperate with a State Court case and there are mechanisms s
2 for cross notices in depositions and things of that sort and
3 discussions as we go.

4 So, I just didn't want there not to be a reference --
5 there is something in place, and that order, as you know, is
6 very comprehensive in terms of sort of all, you know, dotting
7 the I's and crossing the T's for depositions for something this
8 complicated and it has that component it.

9 I also think that ultimately, as Adam was mentioning,
10 and Anand and others, too, that as it relates to the State
11 Court issue, not only is it sort of a State Court issue, but
12 it's also a timing issue as to when people are up and running
13 and what they are doing and who their parties are, et cetera.

14 So, obviously, we are prepared to do what the Court
15 needs us to do. Thank you, your Honor.

16 *THE COURT:* Thank you. For the record, I was just
17 glancing now at 54, page seven of 31, cross noticing of
18 depositions. It talks about cross notices, the coordination of
19 depositions, questioning attorneys, subsequent depositions.
20 What could possibly have been said in 31 pages? Let me just
21 see. It obviously covered a lot of other things, but yes, it
22 is 31 pages.

23 Thank you for reminding us of that, Mr. McGlamry.

24 I think this has been very helpful and I appreciate
25 your thoughts and I appreciate the update, and I imagine this

1 will be an important topic, really, at every case management
2 conference, I suppose, just to at least keep me updated on what
3 you are learning at the ground level of what is happening in
4 the State Court, and if you have suggestions and you think that
5 we can do things in this MDL that is helpful to that
6 coordination, I know you will talk among yourselves. Yes, it
7 is never the intent of the Court to surprise or spring
8 anything.

9 As you know, I like order and structure, and I am not
10 a surprise person, so I don't want you to surprise me, and I
11 will try not to surprise you with issues or put anybody ever on
12 the spot of having to commit to something or answer something
13 if you haven't had ample opportunity to think about it.

14 Anything more on State Court or shall we move on to
15 next gen. Ms. Harris, are you going to stay on for next gen?

16 *MR. PULASKI:* Thank you, Judge.

17 *MS. HARRIS:* Thank you, your Honor.

18 *THE COURT:* Thank you. Good luck with everything.
19 You have your hands full.

20 Okay, so we have the next gen update. Let's have our
21 participants join. So we have Ms. McGlamry and Ms. Nino. How
22 are you?

23 *MS. NINO:* Good, thanks, your Honor.

24 *MS. McGLAMRY:* Yes, thank you.

25 *THE COURT:* I am going to turn my mic off because that

1 makes it difficult for everybody to hear. I will let you take
2 over right now.

3 MS. McGLAMRY: Ms. Nino, I will let you go ahead and
4 go if you'd like.

5 MS. NINO: Sure. Thanks so much.

6 Good afternoon, your Honor. My name is Emma Nino, I
7 am an associate at Williams and Connelly and I represent Pfizer
8 in this litigation.

9 I am someone who is new to multi-district legislation,
10 and relatively new to this case, I just joined this past
11 September. I am so grateful to the Court for putting such an
12 emphasis on the mentorship and development of the more junior
13 attorneys. This is something that I have already felt in my
14 experience so far.

15 From the moment I joined the case, Mr. Petrosinelli
16 and the rest of the Williams and Connelly team made sure to
17 bring me really quickly up to speed so that I could jump in on
18 substantive work across various aspects of the litigation.

19 One thing that I have been working on in particular
20 is, I have been quite involved in the defense of Pfizer in the
21 State Court cases in New York, Illinois, and Puerto Rico. This
22 has been really great because it gave me an opportunity to work
23 closely with members of the LDC and other attorneys at the
24 firms who represent Pfizer co-defendants.

25 Getting to know them and work with them, many of whom

1 are on this call I am sure, has really been a pleasure and one
2 of the highlights of my time on the case so far.

3 It has also been great to be a part of every aspect of
4 those cases from strategy discussions with co-defendants and
5 our client through to the drafting and filing of motions, which
6 really has been a great experience and given me valuable
7 insight into the litigation process.

8 More recently, I have been preparing for Pfizer's
9 upcoming pharmacovigilance 30(b)(6) deposition and I am really
10 looking forward to seeing that process through and getting a
11 chance to interact with Plaintiffs' counsel a bit more. I know
12 we have many depositions that are coming up in this case so I
13 am sure I will have lots of opportunities to get more
14 experience in that area, which is something I am particularly
15 interested in.

16 I feel very fortunate to have such a great opportunity
17 not only to observe the work of the many highly skilled and
18 experienced attorneys in this case, but also to feel like I can
19 contribute, especially at such an early stage in my career, and
20 I really appreciate having the opportunity to address you today
21 as well.

22 Thank you, your Honor.

23 *THE COURT:* Thank you, and well done on the
24 pronunciation of that very difficult word, which I am not going
25 to say because I didn't get it right the last time.

1 Pharmacovigilance, you did that well, and very nice
2 presentation and I am very pleased that you have been able to
3 play such an integral role in this case.

4 I guess you are a little late to the party if you just
5 joined in September, but maybe that gives you fresh eyes and a
6 fresh perspective for those who may be feeling a little worn
7 out after a year of being in the trenches. As I've said
8 before, I think that the attorneys in each of your firms and
9 leadership as a whole deserve so much credit for enabling you
10 to play such a meaningful role, like a real role, really being
11 able to do the work and not just sit on the sidelines.

12 It is always different to do versus observe, and you
13 really learn most when you do, and people have to have
14 confidence in you to do, and that is when you can shine and
15 show off, so, that is wonderful. So, I appreciate your
16 presentation, thank you so much.

17 Ms. McGlamry.

18 *MS. McGLAMRY:* Yes, good afternoon, your Honors. I am
19 Caroline McGlamry on behalf of Plaintiffs, and I appreciate the
20 opportunity to speak with you all toady.

21 I have been practicing law since 2013 with the firm of
22 Pope McGlamry here in Atlanta, so just down the street from Ms.
23 Harris. While not officially appointed to the Plaintiffs' LDC,
24 I was appointed to the bellwether and deposition committees and
25 have had the opportunity to be involved in a number of other

1 discovery related projects throughout this litigation.

2 Prior to the Zantac litigation, my experience
3 primarily involved hip device litigation and the NFL concussion
4 litigation, although largely on the claim side for our clients.
5 This MDL has really been an eye opener to me as far as the
6 commitment required by the firms and leadership. I certainly
7 appreciate the opportunity I have been given to work with and
8 get to know such an impressive and hard-working group of
9 attorneys all over the country.

10 It has also been a special pleasure to work with
11 Special Master Dodge, as she taught my complex litigation class
12 in law school.

13 In addition to my work for the PFC, I spend about
14 twice as much time on CPFs and registry issues for our firm's
15 own clients, and although the approximately 650 clients we
16 represent is modest compared to other mass tort firms, it still
17 involves the work of three attorneys and seven staff members on
18 a daily basis to communicate with clients, complete the CPFs,
19 collect records, determine the appropriate Defendants, cure
20 deficiencies, supplement CPFs and medical records, proof of use
21 and other information, both status conference calls with the
22 clients and a myriad of other tasks that are involved with
23 diligently representing our clients.

24 Collectively, we have spent thousands of professional
25 hours on this case in the last year, which makes sense because

1 each individual case is important, and you have to invest time
2 in your clients and get to know their stories, especially when
3 you are dealing with an injury like cancer because,
4 unfortunately, a lot of our clients have terminal cancer and
5 won't live to see the end of this litigation.

6 Additionally, many of those clients are obviously
7 undergoing chemotherapy and radiation right now, so they are
8 constantly thinking about this litigation and wondering if they
9 will see the end of it. Just in the last few months alone,
10 more than a dozen of our clients have passed away, and finding
11 a family member or a friend who either knew that they were
12 pursuing this litigation or knew the information needed to
13 continue with their claim can be pretty difficult.

14 All that to say, though, that this is still the best
15 justice system in the world and being here in front of you all
16 provides for married people like our clients with a meaningful
17 opportunity to obtain justice through the court system.

18 With approximately -- I think it was referenced
19 earlier -- 70,000 claimants, dozens of Defendants, individual
20 litigation doesn't make sense for Plaintiffs or Defendants in a
21 case like this. I believe that is why so much work is being
22 put in on the front end between Plaintiffs' and Defendants'
23 counsel to try and work cooperatively and resolve issues on our
24 own.

25 I have truly never seen so much work put in every day,

1 at all hours of the day, to move the case forward, and that
2 hard work by both parties is why the issues that do make it
3 before the Court are really just the very important ones that
4 can't get resolved and need the benefit of your guidance and
5 intervention.

6 So, with all that, it has been a pleasure to watch
7 this Court and these litigants in action, and an honor to play
8 a small role in it, and I appreciate all the work that the
9 Court has put into this case and continues to put in this case.
10 So, thank you.

11 *THE COURT:* You are welcome. It sounds like you are
12 putting a lot of work in, that you are playing a large role,
13 and if you take McGlamry times two, then you are really
14 clocking the hours.

15 Are we allowed to ask what it is like to work with
16 your father?

17 *MS. McGLAMRY:* It is great.

18 *MR. McGLAMRY:* That was the right answer, your Honor.
19 Thank you.

20 *THE COURT:* Did you ever think you would appear on a
21 screen together like this?

22 *MS. McGLAMRY:* I did not.

23 *THE COURT:* Maybe another silver lining. That is
24 wonderful. Thank you so much, very eloquent presentation, and,
25 yeah, I mean the fact that you have become a partner already

1 and I understand you had an integral role with the NFL -- you
2 were involved with the NFL case as I understand it.

3 *MS. McGLAMRY:* Yes, ma'am, that is continuing and
4 apparently will last my entire career and maybe my children's
5 career.

6 *THE COURT:* So, you have accomplished quite a bit. I
7 hardly even imagine you in the next generation there, with all
8 you have accomplished, but that is a real complement to how
9 much you have done and the good fortune you have had to be able
10 to work with your father and to have Professor Dodge, now
11 Special Master Dodge, as your professor. So, I am sure you
12 have learned some wonderful things from her and continue to do
13 so through this case.

14 So, thank you both, thank you for your presentation,
15 and with you on the screen, I am really looking forward to the
16 brown bag lunch we have coming up next week. I know this is
17 something that Judge Reinhart and I have been speaking about
18 from the inception of -- really the creation of the LDC and
19 trying to think more creatively about how you, as younger
20 lawyers, whether you are on the LDC, even if you are a partner,
21 but you are still in the, you know, younger next gen category,
22 you know, to have an opportunity to interact with other lawyers
23 who are more senior to you, and also with the Court.

24 I hope that the leads know that we will invite them to
25 the lunch, too, so they are invited, and I know that Special

1 Master Dodge is working out the details of exactly who will be
2 joining us for the lunch.

3 I think we are going to have it for about an hour at
4 noon and Judge Reinhart and I will be available to talk and
5 answer questions and have a back and forth for maybe the first
6 part of the lunch, and then we have a wonderful guest who is
7 going to join us for the second half.

8 I don't know whether Special Master Dodge has
9 mentioned that or not yet, but Judge Dow, Robert Dow, who sits
10 in Illinois, who formerly was the head of the MDL subcommittee
11 and is now the new chair of the Civil Rules -- Advisory Civil
12 Rules Committee of the Judicial Conference is going to join us
13 to give a presentation on what the rules process is like, how
14 the committee works, and what the role of those of us -- and I
15 have sat on the civil rules committee for now two years -- what
16 we do, how we do it, why we do it.

17 So, we thought that was a tremendous opportunity to
18 educate you on an area that not many people talk about. Even
19 as judges, I wasn't really familiar with how the whole rules
20 process worked until I became part of the committee. For you
21 to learn about it at earlier stages in your career I think
22 would be very helpful, particularly when one of the
23 subcommittees of the civil rules is MDL.

24 There is a lot of discussion right now about issues
25 that you are living and breathing and seeing and experiencing

1 every day, so we are really grateful to Judge Dow for agreeing
2 to spend a half an hour of his time because he is awfully busy
3 between his docket and being now the head of the rules
4 committee, a lot of meetings and whatnot.

5 So, I will look forward to seeing you next Wednesday,
6 the 24th. Let me make sure, I don't want to confuse anybody.

7 Yes. We will get the -- I think we have already sent
8 those out.

9 Good to see both of you, and thank you for your
10 presentations.

11 *MS. McGLAMRY:* Thank you.

12 *THE COURT:* Judge Reinhart, was there anything that
13 you want to say to the group?

14 *MAGISTRATE JUDGE REINHART:* Thank you, Judge
15 Rosenberg.

16 First of all, to any of you who are in Texas, or
17 anywhere else, who have been affected by the storms, we in
18 Florida know what it's like when the weather knocks out your
19 power, knocks you off kilter. So, our thoughts are with you
20 and if there is anything that any of us can do to help you get
21 through this difficult situation, please let us know. It is
22 difficult and we know that.

23 Secondly, I just wanted to thank everybody for their
24 presentations today, it was very helpful. I also wanted to
25 tell everyone who participated in the in-chambers that we had a

1 few weeks ago on the discovery, that I found it very helpful,
2 very informative, and I appreciated the candid back and forth
3 that we were able to have. So, I thank you for that.

4 It did inform my thinking a great deal, gave me a lot
5 to think about and to discuss with Judge Rosenberg and with the
6 special master. I appreciate having that opportunity to hear
7 from you.

8 One thing that I did want to piggyback on how Judge
9 Rosenberg opened these proceedings, it's something I did say at
10 the in-chambers, but since not everyone was there, I will
11 repeat it now it particular went to discovery, but really all
12 aspects of the case.

13 Stuff happens in big cases like this. Things are
14 going to fall through the cracks, people are going to miss
15 deadlines, pleadings get lost, things don't get served
16 properly. We understand that. No one is going to be -- as
17 Judge Rosenberg said, we are not playing gotcha here. We
18 believe in due process, we believe everyone should have a fair
19 chance and that mistakes do happen.

20 Now, if someone has been prejudiced and there is
21 a need for a judicial remedy, we stand ready and able to give
22 the remedy that people are entitled to, but on the other hand,
23 we are not looking to hang people high for simple mistakes.

24 I do want to encourage everyone, and this is really
25 the take-away, when those things happen, don't let it derail

1 everything else that is going on in the case. You can
2 bifurcate the ultimate remedy you may get if you are ultimately
3 shown to have prejudice from the need to continue on with the
4 process. So, fix the problem, fix the mistake if it happens,
5 move forward on that.

6 If you want to open a second front to seek some other
7 remedy, that is fine, but let's not let the normal hiccups that
8 occur in this sort of litigation bring us to a stop.

9 With that, the only other thing, I will echo what
10 Judge Rosenberg said, I look forward very much to having a
11 discussion with the LDC members and the next gen lawyers and
12 getting to know you all a little bit better. Thank you very
13 much, Judge.

14 *THE COURT:* Okay, thank you. We will conclude, we did
15 pretty well. We did this in an hour and a half. We are always
16 here to give as much time of ourselves as is warranted, needed,
17 and as you want, but we certainly don't want to intrude on your
18 time and take away from your work and your other obligations.

19 We don't ever want to have these conferences be
20 perceived as kind of time wasters. I hope you don't feel that
21 way. We certainly don't, and we feel communication is
22 important and this is one critical way for us to communicate
23 with one another.

24 Again, while the Court may have more ongoing
25 communication with, say, the leads, there are many others out

1 there -- I see now there are about 143 participants, and they
2 don't necessarily hear from the Court on a regular basis. So,
3 to have these regular conferences, at a minimum, to communicate
4 to those who are not in the inner circle, but I trust the leads
5 are even during the periods between the conferences keeping
6 everybody apprised.

7 I feel very strongly that our leaders need to be
8 leaders and not get so lost in what you are doing day-to-day
9 that you forget that you are leading a team of hundreds or
10 thousands of other lawyers in this case, and that you need to
11 communicate, which I am sure you are doing, so I am not saying
12 anything that I have reason to believe you are not doing.

13 I am just telling you that I think it is really
14 important that you have to remember that you are practicing
15 lawyers representing your clients in a difficult case, but you
16 are also leaders of a massive litigation, and you have a
17 constituency out there, if you will, and you need to keep them
18 apprised, informed.

19 As I always say, you need to act like leaders and
20 model your behavior in a way that you would like others to
21 emulate, and I think you are doing all of those things, so keep
22 it up.

23 Great to hear from each of you today, and thank you to
24 the others who have taken the time to attend, and we look
25 forward to our next event together, which will be currently the

1 LDC next gen lunch, but then we will have our discovery and
2 status conferences to follow and I will memorialize those dates
3 shortly in an order.

4 As always, be well, everyone, take care. Thank you so
5 much.

6 * * *

7
8 I certify that the foregoing is a correct transcript
9 from the record of proceedings in the above matter.

10
11 Date: February 20, 2021

12 /s/ Pauline A. Stipes, Official Federal Reporter

13 Signature of Court Reporter
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Pauline A. Stipes, Official Federal Reporter

MAGISTRATE JUDGE REINHART: [1] 56/13 MR. AGNESHWAR: [3] 29/7 42/10 42/21 MR. MATTHEWS: [3] 35/24 39/11 41/2 MR. McGLAMRY: [4] 45/12 45/15 45/21 53/17 MR. PETROSINELLI: [6] 12/12 12/14 12/21 27/17 28/7 28/11 MR. PULASKI: [12] 12/13 18/3 18/7 23/3 27/15 28/10 28/13 41/5 41/14 44/20 44/22 47/15 MS. HARRIS: [4] 29/14 33/13 35/23 47/16 MS. McGLAMRY: [7] 47/23 48/2 50/17 53/16 53/21 54/2 56/10 MS. NINO: [2] 47/22 48/4 THE COURT: [30] 2/9 12/19 18/2 18/5 22/16 23/4 27/19 28/12 28/14 33/2 35/6 37/22 40/16 41/6 42/12 44/19 44/21 45/11 45/14 45/19 46/15 47/17 47/24 49/22 53/10 53/19 53/22 54/5 56/11 58/13 / /s [1] 60/12 1 10019 [1] 1/24 1180 [1] 2/2 12th [1] 1/21 143 [1] 59/1 15 [5] 21/10 23/2 34/14 34/14 34/15 1600 [1] 2/2 1725 [1] 1/14 18 [1] 1/5 1996 [1] 30/5 19th [1] 31/12 2 20 [1] 60/11 20 percent [2] 21/11 23/2 20-md-02924-ROSENBERG [1] 1/3 20005 [1] 1/21 2013 [1] 30/15 2013 with [1] 50/21 2016 [1] 30/17 202-434-5567 [1] 1/22 2021 [3] 1/5 34/1 60/11 212-836-8011 [1] 1/25 21st [1] 9/14 22nd [2] 32/23 33/18 24 [1] 30/2 24th [2] 35/5 56/6 25 [1] 37/14 250 [1] 1/24 2905 [1] 2/5 2925 [1] 1/14 3 30 [4] 15/21 16/2 36/18 49/9	300 [1] 1/18 30309 [1] 2/2 30326 [1] 1/18 30th [1] 34/3 31 [3] 46/17 46/20 46/22 3391 [1] 1/17 3rd [3] 31/24 32/5 37/12 4 404-523-7706 [1] 1/19 404-572-4600 [1] 2/3 42 [1] 32/17 4555 [1] 1/15 4600 [1] 2/3 5 5250 [1] 2/6 53 [1] 32/10 54 [2] 45/16 46/17 5567 [1] 1/22 55th [1] 1/24 59 [10] 9/9 13/21 14/5 15/2 15/12 15/16 16/17 18/11 18/14 38/15 6 60 miles [1] 30/1 650 [1] 51/15 6th [1] 4/9 7 70,000 [3] 21/10 23/15 52/19 713-522-5250 [1] 2/6 713-664-4555 [1] 1/15 725 [1] 1/21 7706 [1] 1/19 77098 [2] 1/14 2/5 772.467.2337 [1] 2/9 7th [1] 4/9 8 8011 [1] 1/25 9 90 [2] 22/8 22/9 90-day [1] 25/8 A a need [1] 57/21 ability [4] 5/9 7/15 22/25 42/9 able [11] 28/16 33/10 35/19 38/25 40/25 45/9 50/2 50/11 54/9 57/3 57/21 about [52] 4/7 4/9 4/10 5/5 10/10 10/16 16/7 16/9 16/18 17/6 17/10 17/16 17/20 17/21 21/3 21/25 22/16 23/2 23/7 24/1 24/2 24/8 24/8 24/10 24/16 25/15 28/11 29/1 29/23 30/1 33/11 33/12 36/7 40/21 41/1 41/8 41/21 42/23 42/24 45/11 46/18 47/13 51/13 52/8 54/17 54/19 55/3 55/18 55/21 55/24 57/5 59/1 above [1] 60/9 absent [1] 15/23 absolutely [1] 42/13	access [1] 16/5 accomplish [1] 10/13 accomplished [4] 10/1 10/13 54/6 54/8 accurate [1] 33/7 achieve [1] 8/11 across [3] 36/23 37/7 48/18 act [3] 33/23 33/24 59/19 action [1] 53/7 active [1] 23/11 actively [2] 19/22 23/10 activity [1] 32/8 actually [8] 3/2 3/19 17/4 25/25 30/5 30/14 32/1 34/8 ADAM [3] 1/13 18/8 46/9 add [2] 12/18 18/2 addition [1] 51/13 Additionally [1] 52/6 address [6] 4/19 9/10 20/8 40/11 45/14 49/20 addressed [2] 33/19 41/11 addressing [3] 8/24 12/1 44/1 adopted [2] 7/24 38/17 adult [1] 35/21 Advisory [1] 55/11 affected [3] 16/4 16/8 56/17 affects [1] 18/16 after [6] 5/12 21/1 22/7 25/5 28/5 50/7 afternoon [8] 3/1 12/11 12/13 12/14 29/15 36/1 48/6 50/18 again [10] 4/6 12/22 21/3 37/1 39/12 40/6 41/20 42/7 45/11 58/24 agenda [6] 8/25 12/2 17/24 28/15 42/2 45/2 agendas [1] 45/2 aggressive [2] 8/3 8/6 AGNESHWAR [5] 1/23 28/19 29/9 42/21 44/23 ago [5] 10/12 45/19 45/21 45/22 57/1 agreed [3] 19/13 19/21 37/6 agreeing [1] 56/1 agreement [1] 19/4 agreements [1] 7/3 ahead [5] 4/22 20/20 42/3 44/6 48/3 aid [2] 9/21 24/16 Alameda [3] 31/18 36/11 37/9 Alaska [2] 30/4 30/6 albeit [1] 6/8 align [1] 9/6 aligns [1] 11/10 all [56] 3/24 4/3 5/24 7/6 7/10 7/24 8/19 9/4 10/14 10/24 11/22 12/8 14/10 16/20 17/3 19/23 21/15 24/1 24/12 24/19 27/10 29/18 30/3 32/11 32/12 32/18 32/19 34/14 34/19 35/15 36/4 37/5 37/23 37/23 38/13 38/18 39/1 39/10 39/10 42/5 42/16 42/19 44/13 46/6 50/20 51/9 52/14 52/15 53/1 53/6 53/8 54/7 56/16 57/11 58/12 59/21
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A allege [1] 14/18 alleged [1] 14/12 allotted [1] 39/19 allow [1] 19/1 allowed [2] 19/8 53/15 allowing [1] 24/8 allows [1] 25/21 alluded [2] 13/11 14/4 almost [1] 39/16 alone [1] 52/9 along [4] 6/7 11/3 14/13 20/12 already [7] 24/7 41/9 41/15 43/1 48/13 53/25 56/7 also [23] 2/4 8/21 9/20 17/10 17/18 19/11 22/13 28/20 32/4 32/12 34/2 34/10 34/22 43/14 43/19 46/9 46/12 49/3 49/18 51/10 54/23 56/24 59/16 although [6] 3/15 20/14 31/24 37/15 51/4 51/15 always [14] 9/6 9/15 10/2 11/1 11/3 12/6 12/9 15/18 39/17 40/13 50/12 58/15 59/19 60/4 am [35] 3/15 8/13 8/23 16/19 18/14 26/25 27/15 28/5 29/12 30/1 33/5 36/3 37/21 39/6 39/22 40/23 41/3 42/18 47/9 47/25 48/7 48/9 48/11 49/1 49/9 49/13 49/14 49/24 50/2 50/18 54/11 54/15 59/11 59/11 59/13 amazed [1] 3/23 amend [2] 19/24 22/25 amended [4] 17/13 27/24 27/25 34/19 amendment [1] 17/16 amendments [3] 17/11 17/17 17/18 among [3] 25/12 35/13 47/6 amongst [1] 41/11 amount [1] 39/19 ample [2] 24/13 47/13 analytical [1] 13/11 analytics [1] 9/20 ANAND [3] 1/23 29/8 46/10 announcing [1] 12/9 another [5] 11/4 11/5 11/5 53/23 58/23 answer [4] 33/11 47/12 53/18 55/5 answered [1] 22/20 anticipate [1] 6/8 anxiety [1] 10/10 any [18] 5/3 5/6 6/6 16/20 16/22 19/2 25/25 27/14 31/4 32/25 33/11 33/12 39/7 41/9 41/10 45/24 56/16 56/20 anybody [5] 11/12 23/23 27/11 47/11 56/6 anyone [1] 27/1 anything [11] 4/4 18/2 20/13 24/4 29/11 44/6 47/8 47/14 56/12 56/20 59/12	anywhere [2] 16/10 56/17 apart [1] 25/16 apparently [2] 30/12 54/4 appear [1] 53/20 appeared [1] 3/20 appearing [2] 2/4 3/17 applaud [1] 10/14 application [1] 10/4 appointed [5] 10/5 36/2 39/23 50/23 50/24 appreciate [16] 22/17 27/17 27/23 29/2 29/19 33/1 33/16 38/4 46/24 46/25 49/20 50/15 50/19 51/7 53/8 57/6 appreciated [2] 10/25 57/2 apprised [3] 38/3 59/6 59/18 approach [3] 26/21 26/21 26/21 appropriate [3] 38/6 41/1 51/19 approximately [3] 37/15 51/15 52/18 April [1] 34/3 April 30th [1] 34/3 arduous [1] 21/14 are [184] area [2] 49/14 55/18 aren't [1] 19/20 argument [2] 32/5 34/1 arise [6] 5/5 36/15 36/21 39/15 39/15 41/17 arisen [1] 25/13 arises [1] 7/7 Army [1] 30/2 Arnold [1] 1/23 around [2] 29/5 37/25 as [138] aside [1] 15/1 ask [2] 18/1 53/15 asked [5] 6/17 6/22 10/5 25/24 38/6 aspect [3] 10/8 38/10 49/3 aspects [3] 8/19 48/18 57/12 assessment [2] 6/19 8/16 asset [1] 39/2 assigned [1] 32/18 assistance [3] 9/19 32/25 33/2 assisting [1] 31/4 associate [2] 29/16 48/7 Associates [1] 2/4 Assuming [1] 34/1 Atlanta [6] 1/18 2/2 29/16 30/1 30/19 50/22 attempted [1] 21/24 attend [1] 59/24 attended [3] 30/8 30/10 30/11 attorney [1] 3/19 attorneys [10] 4/14 36/8 41/24 46/19 48/13 48/23 49/18 50/8 51/9 51/17 August [1] 7/23 Augusta [2] 30/6 30/8 autonomy [1] 44/25 available [1] 55/4 Avenue [1] 1/14 awaiting [1] 32/6	aware [1] 38/25 away [5] 8/23 18/19 52/10 57/25 58/18 awfully [1] 56/2 B baby [3] 30/24 35/13 35/18 back [9] 18/7 18/15 25/8 27/8 31/14 31/15 35/9 55/5 57/2 background [4] 29/23 36/21 36/25 40/24 bad [2] 26/12 40/13 bag [2] 35/5 54/16 Baker [1] 30/15 Bar [2] 19/11 22/4 base [1] 30/9 baseball [1] 30/9 based [3] 6/12 7/24 31/25 basically [1] 26/16 basis [3] 13/15 51/18 59/2 be [105] be claims [1] 22/14 BEACH [3] 1/2 1/5 2/8 beautiful [1] 33/4 became [2] 6/24 55/20 because [22] 4/23 5/24 6/14 10/19 16/15 18/20 21/14 23/25 35/15 35/20 38/14 39/17 40/12 42/1 42/15 44/5 47/25 48/22 49/25 51/25 52/3 56/2 become [3] 24/10 26/13 53/25 becomes [5] 11/8 28/6 40/10 43/13 44/13 been [56] 3/8 4/1 4/10 4/16 4/17 5/19 7/3 7/7 9/13 9/15 10/1 10/6 10/9 13/7 13/19 15/10 16/9 19/13 21/21 24/4 24/5 24/12 24/19 25/6 26/15 27/4 32/10 32/12 32/16 33/19 34/13 34/14 34/20 35/15 35/16 36/2 37/24 43/24 46/20 46/24 48/19 48/20 48/22 49/1 49/3 49/6 49/8 50/2 50/21 51/5 51/7 51/10 53/6 54/17 56/17 57/20 before [13] 1/9 3/18 11/8 12/6 13/20 31/21 33/13 34/16 38/22 40/9 42/10 50/8 53/3 began [1] 30/14 begin [3] 19/11 29/22 44/16 beginning [3] 9/1 9/3 32/23 begins [1] 9/17 begun [1] 34/22 behalf [3] 14/10 29/18 50/19 behavior [1] 59/20 being [16] 8/8 8/8 8/9 9/20 11/3 15/9 24/16 33/10 37/10 37/16 38/25 50/7 50/10 52/15 52/21 56/3 believe [8] 23/4 25/4 37/6 44/23 52/21 57/18 57/18 59/12 bellwether [2] 9/21 50/24 belong [1] 26/18 beneficial [2] 27/10 39/10 benefit [7] 14/7 15/11 18/12
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B benefit... [4] 27/11 33/10 38/25 53/4 Bennett [8] 32/19 32/22 33/19 33/25 34/3 38/13 38/16 39/4 best [4] 14/13 14/20 20/25 52/14 better [2] 3/8 58/12 between [7] 19/4 21/13 40/7 43/4 52/22 56/3 59/5 BI [1] 32/14 BI's [1] 31/3 bifurcate [1] 58/2 big [3] 5/3 15/2 57/13 birth [2] 30/23 35/18 bit [11] 12/21 20/10 20/13 29/23 35/11 35/19 36/25 42/8 49/11 54/6 58/12 bite [1] 22/13 Boehringer [1] 29/17 born [1] 29/25 both [19] 7/10 7/10 8/14 19/15 23/6 24/15 25/17 25/18 26/15 27/19 32/8 36/18 36/19 38/10 41/4 51/21 53/2 54/14 56/9 bouncing [1] 30/24 boy [3] 30/24 35/13 35/18 boys [1] 30/9 brand [2] 31/12 32/1 branded [1] 13/14 brands [2] 7/2 41/22 breathing [1] 55/25 brethren [1] 45/4 brief [1] 29/21 briefed [1] 33/20 briefing [1] 43/22 briefly [4] 18/13 20/9 31/7 44/21 bring [2] 48/17 58/8 bringing [1] 40/15 brought [5] 16/9 20/9 23/13 24/17 42/10 brown [2] 35/5 54/16 BRUCE [1] 1/10 bubble [1] 27/2 bulk [1] 5/2 bumps [1] 11/13 busy [1] 56/2 button [1] 14/14	42/23 43/4 43/4 43/15 47/5 49/18 50/14 52/13 56/20 58/1 can't [5] 3/2 7/19 11/14 16/5 53/4 Canada [1] 30/7 cancer [2] 52/3 52/4 cancers [7] 19/6 19/19 19/20 19/25 20/4 21/11 22/23 candid [2] 8/16 57/2 care [2] 30/16 60/4 career [5] 35/22 49/19 54/4 54/5 55/21 CAROLINE [2] 1/16 50/19 case [62] case in [1] 51/25 case-by-case [1] 40/7 cases [32] 5/4 5/10 11/1 11/17 21/4 29/5 31/11 31/21 31/24 32/2 32/8 32/10 32/11 32/12 32/14 32/15 32/17 34/1 34/14 34/15 34/20 36/5 36/6 36/12 36/19 37/1 37/9 37/14 41/22 48/21 49/4 57/13 cat [2] 3/20 3/21 catching [1] 36/3 category [1] 54/21 cats [1] 4/4 causation [1] 7/25 cause [1] 15/23 cell [1] 30/7 census [21] 12/24 12/25 13/2 13/6 13/8 13/21 13/24 14/3 14/11 15/10 15/15 17/10 17/12 17/12 17/23 17/25 23/7 27/2 27/5 27/5 27/6 certain [13] 13/15 15/21 15/23 16/23 21/13 21/14 38/5 39/19 39/23 40/4 43/5 45/8 45/10 certain order [1] 43/5 certainly [13] 21/4 30/25 36/20 38/4 39/13 39/14 41/4 41/13 42/8 45/4 51/6 58/17 58/21 certification [1] 5/13 certify [1] 60/8 cetera [1] 46/13 chair [1] 55/11 challenges [2] 9/25 21/13 chambers [7] 6/12 6/14 6/17 6/24 7/14 56/25 57/10 chance [2] 49/11 57/19 change [1] 20/20 changes [1] 20/22 charged [1] 27/2 Chattanooga [1] 36/9 Chattem [1] 32/13 check [1] 4/6 checking [1] 8/13 chemotherapy [1] 52/7 Chicago [1] 36/9 child [1] 30/2 children [1] 35/21 children's [1] 54/4 circle [1] 59/4 Circuit [3] 31/14 32/17 34/17 circumstances [1] 45/10	civil [4] 55/11 55/11 55/15 55/23 claim [6] 14/3 15/14 17/2 25/4 51/4 52/13 claimant [3] 13/13 15/6 24/1 claimant's [1] 15/7 claimants [18] 13/7 14/18 14/24 15/23 16/19 16/21 16/25 22/22 23/3 24/14 24/14 24/15 24/24 25/1 26/10 26/16 26/17 52/19 claimants' [1] 15/21 claims [9] 5/15 9/2 14/21 21/15 22/12 22/14 23/13 24/3 33/22 claims from [1] 9/2 clarifying [1] 20/23 clarity [1] 25/22 class [2] 5/12 51/11 clear [3] 6/24 15/10 15/12 client [1] 49/5 clients [13] 19/18 51/4 51/15 51/15 51/18 51/22 51/23 52/2 52/4 52/6 52/10 52/16 59/15 clocking [1] 53/14 close [1] 44/18 closely [1] 48/23 CMC [2] 42/1 44/1 CMCs [3] 40/10 40/16 44/3 co [2] 48/24 49/4 co-defendants [2] 48/24 49/4 collaborative [1] 7/12 collect [2] 14/16 51/19 collection [1] 13/12 collective [1] 7/11 Collectively [1] 51/24 columns [1] 21/15 come [18] 3/7 4/14 6/7 6/8 6/9 8/5 8/21 9/23 10/1 11/9 11/14 15/17 25/8 27/22 40/6 40/11 42/4 45/11 coming [9] 4/22 6/23 12/20 21/2 24/7 40/23 43/21 49/12 54/16 command [1] 39/9 commenced [1] 4/18 commend [1] 26/20 comments [3] 27/7 27/14 27/15 commercial [1] 30/16 commit [1] 47/12 commitment [1] 51/6 committee [9] 10/5 10/6 17/5 25/14 55/12 55/14 55/15 55/20 56/4 committees [1] 50/24 communicate [5] 36/14 51/18 58/22 59/3 59/11 communicated [1] 36/8 communication [8] 36/13 39/23 43/1 43/3 43/13 44/16 58/21 58/25 communications [1] 36/22 compared [2] 17/1 51/16 compatible [1] 40/14 complaint [11] 17/11 17/14 17/14 17/15 17/19 20/8 20/10
C California [9] 31/8 31/18 31/25 36/10 36/17 37/8 37/17 41/22 44/11 California based [1] 31/25 call [5] 18/14 22/4 33/8 33/8 49/1 called [1] 15/22 calls [1] 51/21 can [40] 6/2 6/2 6/2 6/3 6/10 7/9 7/20 7/21 8/4 8/9 8/11 8/16 9/5 11/8 11/19 12/5 12/8 12/18 14/20 15/20 21/16 25/2 33/15 38/5 38/7 40/15 41/15 41/19 42/5 42/20		

C complaint... [4] 20/11 20/12 20/25 21/6 complaints [9] 20/18 20/20 20/22 21/5 27/22 27/24 33/21 34/18 34/19 complement [2] 38/13 54/8 complete [3] 8/18 19/1 51/18 completed [1] 7/25 completely [1] 44/24 complex [3] 5/19 39/14 51/11 complexities [1] 43/6 complicated [2] 23/20 46/8 compliment [1] 38/18 component [1] 46/8 comprehensive [1] 46/6 computer [3] 12/16 16/6 16/8 concern [1] 15/5 conclude [2] 9/22 58/14 concussion [1] 51/3 conditionally [1] 32/16 conduct [1] 6/18 confer [3] 28/1 31/16 34/9 conference [18] 1/9 6/13 6/14 6/16 6/17 6/17 9/14 25/14 28/16 31/8 32/22 32/23 33/18 34/3 34/4 47/2 51/21 55/12 conferences [7] 6/16 7/18 8/14 58/19 59/3 59/5 60/2 confidence [1] 50/14 confident [1] 28/5 confidentiality [3] 34/7 35/2 37/4 confuse [1] 56/6 congratulate [1] 35/12 conjunction [1] 19/5 Connelly [2] 48/7 48/16 cons [1] 28/3 consensus [4] 7/16 25/17 28/1 38/16 consider [1] 41/2 considered [1] 4/4 consistent [2] 11/18 11/23 consolidate [1] 31/20 consolidated [1] 34/16 consolidation [1] 31/15 constantly [1] 52/8 constituency [1] 59/17 Consumer [1] 33/23 contemplate [1] 40/19 contemplated [1] 45/24 continually [1] 37/19 continue [7] 19/25 22/7 22/8 36/14 52/13 54/12 58/3 continued [1] 22/10 continues [1] 53/9 continuing [1] 54/3 contribute [1] 49/19 control [2] 21/25 45/7 convince [1] 3/20 Cook [5] 31/10 31/14 31/16 36/9 37/15 cooperate [1] 46/1 cooperatively [1] 52/23 coordinate [4] 29/3 31/21 33/16 45/10	coordinated [5] 31/24 37/10 43/10 44/9 44/24 coordinating [3] 31/19 37/11 45/4 coordination [26] 28/21 28/25 31/5 31/22 32/5 32/19 36/22 37/20 38/2 38/8 38/10 39/5 39/10 39/16 39/21 42/4 42/24 43/7 43/15 44/11 44/13 44/18 45/9 45/24 46/18 47/6 coordinations [1] 45/25 coordinator [1] 28/18 core [1] 7/2 corpus [1] 17/1 correct [3] 14/19 23/4 60/8 correcting [2] 13/4 20/24 correction [1] 14/1 correctly [2] 22/21 22/24 cost [2] 19/11 19/16 could [9] 4/1 6/9 10/12 39/5 39/21 40/6 42/11 46/20 48/17 counsel [13] 5/6 5/24 12/4 15/7 15/22 24/13 25/1 31/19 36/5 37/11 39/24 49/11 52/23 counties [1] 37/14 country [12] 16/5 16/10 16/10 29/5 30/4 36/6 36/18 36/20 36/24 37/7 37/25 51/9 County [20] 31/10 31/14 31/16 31/18 32/9 32/9 32/14 32/18 33/20 34/11 34/13 34/17 34/21 34/22 34/25 36/9 36/11 36/12 37/9 37/15 couple [3] 23/6 29/11 37/12 course [3] 6/4 33/15 36/23 court [95] Court's [4] 20/2 29/11 37/18 37/21 courts [12] 36/19 36/20 36/22 37/17 37/20 38/11 40/1 42/6 43/22 44/25 45/1 45/2 cover [1] 12/17 covered [2] 22/18 46/21 COVID [2] 35/15 35/20 CPF [2] 18/24 19/7 CPFs [6] 18/17 18/17 19/1 51/14 51/18 51/20 cracking [1] 3/24 cracks [1] 57/14 created [1] 18/11 creating [1] 8/3 creation [1] 54/18 creatively [1] 54/19 credit [1] 50/9 criminal [1] 3/10 critical [5] 6/4 7/5 22/21 26/9 58/22 critically [1] 10/22 cross [4] 11/12 46/2 46/17 46/18 crossing [1] 46/7 cure [9] 21/24 22/7 22/9 24/17 25/1 25/8 25/11 26/19 51/19 cured [2] 19/8 24/19 curing [1] 19/22 current [1] 18/17 currently [6] 19/6 31/10	31/23 31/25 32/6 59/25 cut [1] 41/7 cutting [1] 26/21 D D.C [2] 1/21 16/11 daily [1] 51/18 dance [1] 30/25 data [5] 9/20 15/5 15/7 21/13 26/3 date [2] 10/13 60/11 dates [1] 60/2 Daubert [2] 5/12 6/6 DAVID [3] 2/4 36/1 39/12 day [18] 5/24 5/25 10/3 10/8 10/8 15/22 22/6 24/19 24/25 25/8 26/3 30/6 33/25 52/25 53/1 56/1 59/8 59/8 day-to-day [1] 59/8 days [6] 15/21 16/2 22/6 22/8 22/9 31/1 deadline [4] 7/23 14/1 18/24 23/24 deadlines [5] 5/9 5/10 8/6 8/10 57/15 deal [5] 14/3 14/21 14/24 36/21 57/4 dealing [3] 15/14 26/23 52/3 death [1] 40/4 decide [2] 16/21 16/22 decided [1] 14/12 decision [1] 24/9 deems [1] 39/2 Defendant [2] 9/20 34/23 defendants [21] 1/20 7/4 12/23 13/6 13/9 13/15 23/12 23/25 29/18 31/12 32/1 32/1 32/11 33/20 34/13 34/18 48/24 49/4 51/19 52/19 52/20 Defendants' [2] 34/11 52/22 defending [1] 23/13 defense [15] 13/5 17/19 18/12 19/4 19/13 19/15 20/15 21/2 21/7 22/13 25/18 28/21 40/21 42/23 48/20 defenses [1] 5/16 deficiencies [16] 13/3 14/2 14/18 14/19 19/2 19/8 19/22 21/24 24/16 24/18 24/18 24/22 24/24 24/25 25/1 51/20 deficiency [5] 19/2 21/18 22/6 23/19 26/19 deficient [1] 15/15 defines [1] 38/9 definitely [3] 21/7 43/18 44/17 degree [2] 30/11 41/23 degrees [1] 24/22 demands [1] 12/9 depo [2] 41/16 41/21 deposition [8] 10/6 40/17 40/19 42/17 43/16 45/17 49/9 50/24 depositions [14] 5/22 7/8 39/4 39/5 39/16 39/18 43/14 43/17 46/2 46/7 46/18 46/19 46/19 49/12 derail [1] 57/25
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<p>D</p> <p>deserve [2] 24/2 50/9</p> <p>designated [8] 14/9 19/6 19/18 19/20 19/25 20/4 21/11 22/23</p> <p>designed [1] 27/11</p> <p>designee [1] 29/22</p> <p>desire [1] 6/1</p> <p>detail [1] 28/3</p> <p>details [2] 15/19 55/1</p> <p>determination [1] 20/21</p> <p>determine [2] 31/22 51/19</p> <p>determined [1] 24/5</p> <p>develop [1] 31/16</p> <p>developed [1] 39/21</p> <p>development [1] 48/12</p> <p>developments [2] 13/19 31/7</p> <p>device [2] 30/21 51/3</p> <p>dialogue [1] 8/14</p> <p>did [18] 6/15 8/25 10/24 18/19 18/19 23/2 36/7 42/21 43/2 43/3 50/1 53/20 53/22 57/4 57/8 57/9 58/14 58/15</p> <p>didn't [4] 15/8 23/3 46/4 49/25</p> <p>differences [1] 27/23</p> <p>different [7] 14/12 26/6 26/6 28/4 42/6 43/6 50/12</p> <p>difficult [8] 4/1 9/24 48/1 49/24 52/13 56/21 56/22 59/15</p> <p>difficulties [1] 35/17</p> <p>diligently [2] 21/22 51/23</p> <p>direct [1] 39/9</p> <p>directed [1] 36/14</p> <p>direction [2] 37/18 37/21</p> <p>directly [1] 45/14</p> <p>disagree [1] 11/5</p> <p>disagreements [1] 5/5</p> <p>discouraged [1] 16/19</p> <p>discovered [1] 10/20</p> <p>discovery [28] 5/2 5/3 5/4 5/8 5/14 6/7 6/10 6/13 6/15 6/16 6/19 7/3 7/25 8/4 8/18 8/20 10/23 32/20 34/4 34/8 34/23 35/1 37/4 43/11 51/1 57/1 57/11 60/1</p> <p>discretion [1] 15/17</p> <p>discuss [7] 20/3 41/5 42/1 42/9 42/20 45/9 57/5</p> <p>discussing [2] 20/5 20/10</p> <p>discussion [2] 55/24 58/11</p> <p>discussions [7] 9/21 20/14 25/13 41/23 45/19 46/3 49/4</p> <p>dismiss [10] 6/6 20/19 21/1 24/6 28/9 33/19 33/20 34/2 34/18 37/3</p> <p>dismissed [3] 32/11 32/12 32/14</p> <p>dispositive [2] 5/10 32/21</p> <p>dispute [2] 7/20 11/8</p> <p>disputes [2] 11/6 30/20</p> <p>distills [1] 23/21</p> <p>district [5] 1/1 1/1 1/10 31/13 48/9</p> <p>diverse [1] 32/13</p> <p>diverted [1] 42/15</p>	<p>DIVISION [3] 1/2 32/19 34/17</p> <p>do [46] 3/14 5/24 6/22 6/25 7/11 10/11 10/22 11/2 13/16 14/13 16/19 19/25 20/5 20/21 25/2 25/3 25/15 37/20 37/25 38/1 38/6 38/6 38/8 39/6 39/8 39/16 39/18 40/17 42/14 42/24 45/6 46/14 46/15 47/5 50/11 50/12 50/13 50/14 53/2 54/12 55/16 55/16 55/16 56/20 57/19 57/24</p> <p>docket [2] 31/3 56/3</p> <p>dockets [1] 38/23</p> <p>document [2] 10/7 34/8</p> <p>documents [4] 5/21 5/21 5/22 7/7</p> <p>Dodge [15] 6/18 11/6 14/13 14/23 16/7 19/5 20/2 20/16 21/21 25/25 51/11 54/10 54/11 55/1 55/8</p> <p>Doe [1] 31/25</p> <p>does [3] 15/18 25/21 45/21</p> <p>doesn't [3] 7/21 18/21 52/20</p> <p>doing [19] 3/8 5/24 11/21 11/22 14/24 16/2 25/20 28/3 29/3 38/4 38/11 38/12 38/12 38/21 46/13 59/8 59/11 59/12 59/21</p> <p>don't [32] 9/5 10/11 11/12 11/19 14/19 16/21 16/23 17/3 19/2 26/2 26/11 26/17 26/18 26/24 28/2 38/24 40/13 40/21 41/12 41/17 42/4 44/9 47/10 55/8 56/6 57/15 57/25 58/17 58/19 58/20 58/21 59/2</p> <p>Donaldson [1] 30/15</p> <p>done [10] 10/9 10/15 10/21 13/5 38/18 42/17 43/1 43/5 49/23 54/9</p> <p>doors [1] 30/13</p> <p>dotting [1] 46/6</p> <p>double [1] 30/13</p> <p>Dow [3] 55/9 55/9 56/1</p> <p>down [6] 21/12 23/21 24/11 32/2 44/17 50/22</p> <p>dozen [1] 52/10</p> <p>dozens [1] 52/19</p> <p>drafting [1] 49/5</p> <p>drove [1] 30/5</p> <p>due [3] 25/10 34/12 57/18</p> <p>duplicating [1] 43/10</p> <p>during [3] 24/15 35/15 59/5</p> <p>E</p> <p>each [8] 9/17 10/8 11/19 11/20 20/24 50/8 52/1 59/23</p> <p>eager [1] 8/13</p> <p>earlier [3] 45/14 52/19 55/21</p> <p>early [3] 25/18 37/2 49/19</p> <p>easy [1] 26/2</p> <p>echo [2] 23/5 58/9</p> <p>edge [1] 26/21</p> <p>educate [1] 55/18</p> <p>educates [1] 5/16</p> <p>effect [1] 22/10</p> <p>effectuate [1] 38/8</p> <p>efficient [1] 33/16</p>	<p>effort [1] 7/12</p> <p>efforts [1] 29/3</p> <p>eight [4] 27/5 30/6 32/14 32/15</p> <p>eight-day [1] 30/6</p> <p>either [4] 16/12 26/11 41/9 52/11</p> <p>elect [1] 39/1</p> <p>electronic [1] 5/21</p> <p>Elijah [1] 30/23</p> <p>eloquent [1] 53/24</p> <p>else [3] 22/1 56/17 58/1</p> <p>email [1] 32/25</p> <p>emailed [1] 33/7</p> <p>embarrassing [1] 3/15</p> <p>emerge [1] 26/5</p> <p>eminently [2] 23/17 25/9</p> <p>EMMA [2] 1/20 48/6</p> <p>Emory [1] 30/18</p> <p>emphasis [1] 48/12</p> <p>employment [1] 30/17</p> <p>emulate [1] 59/21</p> <p>enabling [1] 50/9</p> <p>encourage [2] 27/1 57/24</p> <p>end [10] 3/11 8/21 12/18 22/5 24/25 26/2 26/4 52/5 52/9 52/22</p> <p>endorsement [1] 11/10</p> <p>engage [1] 34/22</p> <p>engaged [1] 8/17</p> <p>enjoyed [1] 4/12</p> <p>enough [3] 11/20 22/12 30/5</p> <p>ensure [3] 8/9 8/17 22/13</p> <p>ensuring [1] 21/23</p> <p>entails [1] 40/8</p> <p>enter [2] 9/17 40/18</p> <p>entered [3] 7/3 9/13 27/4</p> <p>entering [2] 8/22 9/24</p> <p>enters [1] 23/21</p> <p>entire [3] 17/1 20/15 54/4</p> <p>entitled [1] 57/22</p> <p>envisioned [2] 8/11 10/12</p> <p>equally [1] 11/16</p> <p>ESI [3] 34/7 35/2 37/3</p> <p>especially [4] 5/18 13/1 49/19 52/2</p> <p>ESQ [8] 1/13 1/16 1/16 1/20 1/20 1/23 2/1 2/4</p> <p>essence [4] 5/15 5/15 5/15 23/21</p> <p>essential [1] 17/6</p> <p>essentially [1] 45/25</p> <p>establish [1] 34/4</p> <p>et [1] 46/13</p> <p>even [15] 3/7 5/4 7/6 10/17 10/18 10/18 11/4 23/20 24/20 35/21 44/1 54/7 54/20 55/18 59/5</p> <p>event [1] 59/25</p> <p>ever [5] 7/5 10/12 47/11 53/20 58/19</p> <p>every [8] 10/8 11/19 25/2 42/5 47/1 49/3 52/25 56/1</p> <p>everybody [8] 6/18 8/11 19/1 22/4 42/9 48/1 56/23 59/6</p> <p>everybody on [1] 22/4</p> <p>everyone [11] 3/1 3/6 7/16 10/24 18/12 27/11 56/25</p>
--	--	---

E everyone... [4] 57/10 57/18 57/24 60/4 everything [6] 3/11 22/1 22/16 44/24 47/18 58/1 exactly [6] 9/2 10/20 17/4 25/20 25/21 55/1 example [4] 13/13 40/2 40/4 40/7 excellence [1] 8/19 excellent [1] 22/17 exit [5] 14/4 16/25 22/14 26/4 26/18 exited [4] 15/23 22/3 24/20 25/7 exiting [7] 9/2 9/10 16/19 23/19 25/6 25/21 26/11 expect [2] 9/16 32/2 expectations [2] 8/3 10/18 expedited [1] 40/5 expeditiously [1] 11/16 experience [5] 37/23 48/14 49/6 49/14 51/2 experienced [2] 39/14 49/18 experiencing [1] 55/25 explain [1] 13/25 expressed [1] 11/10 expressing [1] 8/1 extensions [2] 16/7 22/1 extent [3] 10/10 10/17 24/14 extra [1] 43/13 eye [1] 51/5 eyes [2] 42/15 50/5	few [9] 4/11 6/8 22/19 24/21 29/21 29/23 31/7 52/9 57/1 fewer [1] 24/1 fight [1] 5/5 figure [2] 14/20 45/11 figuring [1] 8/4 file [4] 13/2 18/18 26/1 35/3 filed [11] 17/12 23/12 23/13 24/10 31/19 32/3 32/10 34/16 34/18 34/19 37/16 filing [4] 18/20 21/4 21/6 49/5 fill [2] 19/1 29/12 final [2] 15/13 17/8 finalize [1] 35/1 finalized [1] 34/10 finalizing [1] 34/6 Finally [2] 21/9 32/7 finding [2] 8/25 52/10 finds [1] 27/9 fine [3] 16/24 28/10 58/7 firm [1] 50/21 firm's [1] 51/14 firms [5] 21/14 48/24 50/8 51/6 51/16 first [14] 6/22 8/22 8/24 12/2 14/2 15/25 22/24 24/21 28/17 31/10 35/18 41/11 55/5 56/16 fitting [2] 9/1 39/2 five [4] 15/22 22/6 22/6 24/19 five-day [3] 15/22 22/6 24/19 fix [2] 58/4 58/4 fixable [1] 28/6 FL [2] 1/5 2/8 FLORIDA [2] 1/1 56/18 flown [1] 4/15 focus [1] 8/20 focusing [1] 30/20 follow [2] 20/12 60/2 followed [1] 33/7 following [2] 5/12 30/14 foregoing [1] 60/8 forget [1] 59/9 form [13] 15/10 17/11 17/14 17/19 20/8 20/10 20/11 20/20 20/25 21/5 21/6 27/22 27/24 formally [1] 28/17 formerly [1] 55/10 forms [11] 13/2 13/3 13/8 14/3 14/11 14/17 15/15 15/15 17/2 17/12 27/5 Fort [1] 30/4 forth [2] 55/5 57/2 fortunate [1] 49/16 fortune [1] 54/9 forum [1] 26/6 forward [25] 4/21 6/11 7/6 7/8 7/21 8/17 10/11 19/3 19/22 20/4 21/5 27/21 28/23 29/7 31/17 35/4 43/7 43/8 49/10 53/1 54/15 56/5 58/5 58/10 59/25 found [2] 38/13 57/1 framing [1] 9/21	frankly [1] 24/22 fraught [1] 26/22 free [1] 4/5 fresh [2] 50/5 50/6 friend [1] 52/11 front [4] 3/11 52/15 52/22 58/6 fruits [1] 9/18 frustrated [1] 11/4 frustrations [1] 26/22 Ft [1] 2/8 full [5] 11/9 19/1 26/16 33/25 47/19 fully [1] 33/20 fun [1] 29/23 funny [1] 3/22 further [1] 27/15 future [4] 18/17 20/1 20/4 29/13
F face [1] 3/24 facilitate [2] 39/8 39/9 fact [4] 7/25 28/6 33/8 53/25 facts [1] 29/24 failure [2] 23/23 33/22 fair [4] 23/18 25/9 27/10 57/18 fairly [1] 37/13 fairness [2] 23/8 26/14 fall [1] 57/14 familiar [2] 12/8 55/19 family [2] 30/3 52/11 far [8] 3/16 10/1 44/4 44/6 44/7 48/14 49/2 51/5 fashion [1] 39/19 fast [1] 44/5 father [3] 30/2 53/16 54/10 favor [1] 25/16 February [4] 1/5 4/9 7/22 60/11 Federal [17] 28/16 28/18 28/21 29/4 31/5 32/15 36/22 37/24 38/2 38/8 38/21 38/24 43/21 43/24 44/12 45/2 60/12 Federal/State [1] 38/2 feedback [1] 6/12 feel [8] 3/15 10/15 29/10 49/16 49/18 58/20 58/21 59/7 feeling [1] 50/6 feels [1] 4/16 felt [1] 48/13		G GA [2] 1/18 2/2 gave [4] 15/16 30/23 48/22 57/4 gee [1] 23/24 gen [6] 47/15 47/15 47/20 54/21 58/11 60/1 gener [1] 29/14 general [3] 7/25 30/16 30/18 generally [1] 28/4 generation [2] 29/22 54/7 generic [1] 13/16 Georgia [3] 29/25 30/6 30/8 get [29] 7/19 7/19 10/11 10/21 11/3 11/15 11/16 11/20 15/8 15/22 16/5 21/7 22/6 22/22 27/3 34/9 42/8 42/9 49/13 49/25 51/8 52/2 53/4 56/7 56/20 57/15 57/15 58/2 59/8 get the [1] 56/7 gets [2] 5/14 21/12 getting [10] 15/11 15/19 16/2 20/3 41/23 43/7 44/7 48/25 49/10 58/12 getting a [1] 49/10 gift [2] 35/13 35/22 give [7] 12/1 25/2 26/24 43/4 55/13 57/21 58/16 given [6] 12/16 15/4 35/18 41/9 49/6 51/7 gives [1] 50/5 giving [1] 24/18 glancing [1] 46/17 global [1] 30/19 go [15] 3/16 3/17 7/8 8/7 18/13 18/15 20/19 27/8 35/25 42/2 43/9 44/17 46/3 48/3 48/4 going [44] 3/6 4/17 5/2 5/21 6/21 6/23 8/1 8/23 10/17 14/16 17/10 18/15 19/3 20/4 22/13 23/12 24/10 24/20 25/22 26/25 29/3 29/4 29/12 35/8 39/22 40/6 40/12 41/7 43/9 43/11 43/20 44/5 44/10 44/18 47/15 47/25 49/24 55/3 55/7 55/12 57/14 57/14 57/16

G going... [1] 58/1 gone [1] 35/11 good [20] 3/1 4/6 10/15 12/11 12/13 12/14 15/23 22/2 26/12 27/18 27/20 29/15 36/1 41/3 47/18 47/23 48/6 50/18 54/9 56/9 got [1] 10/4 gotcha [2] 23/24 57/17 govern [1] 34/8 governing [1] 35/1 GPS [1] 30/7 granted [1] 31/13 granting [1] 28/9 grateful [2] 48/11 56/1 great [12] 10/9 10/19 13/1 33/10 36/21 48/22 49/3 49/6 49/16 53/17 57/4 59/23 greater [3] 10/18 25/22 28/3 Greely [1] 30/4 ground [3] 22/18 44/7 47/3 grounds [1] 33/21 groundwork [1] 10/19 group [2] 51/8 56/13 growing [1] 30/3 GSK [1] 32/15 guess [5] 17/1 27/21 38/20 42/5 50/4 guest [1] 55/6 guidance [3] 6/3 40/20 53/4	32/12 33/25 34/14 34/20 35/11 35/15 38/17 40/3 43/14 43/24 46/8 46/24 48/22 49/1 49/3 49/6 51/5 51/10 53/6 53/9 55/8 57/20 hate [1] 33/4 have [219] haven't [3] 18/14 24/19 47/13 having [10] 12/16 14/9 16/9 24/2 35/5 43/3 47/12 49/20 57/6 58/10 Hawkins [1] 31/11 he [12] 3/19 3/20 3/21 12/18 18/1 30/23 32/23 33/6 33/11 38/17 39/2 56/2 head [2] 55/10 56/3 headed [1] 13/18 health [1] 30/16 hear [6] 28/2 41/19 48/1 57/6 59/2 59/23 heard [4] 7/17 7/18 22/21 35/9 hearing [5] 28/23 29/7 31/23 32/5 34/20 hearings [1] 43/20 heels [1] 5/12 height [1] 30/22 held [1] 32/22 help [6] 11/14 24/17 24/24 27/11 38/24 56/20 helpful [10] 6/3 12/10 38/13 43/13 43/25 46/24 47/5 55/22 56/24 57/1 helping [1] 40/15 helps [2] 5/16 5/17 her [12] 6/22 7/15 8/1 8/15 11/9 11/10 11/13 12/8 12/10 23/21 28/20 54/12 herculean [1] 16/16 here [13] 3/4 4/12 7/20 11/6 16/12 17/24 29/17 42/15 42/15 50/22 52/15 57/17 58/16 herself [1] 29/13 hiccups [3] 3/12 26/24 58/7 high [3] 30/8 38/18 57/23 higher [1] 38/23 highlight [1] 35/14 highlighted [1] 7/14 highlights [1] 49/2 highly [1] 49/17 him [8] 32/24 33/1 33/6 33/7 33/9 33/13 33/15 35/20 hip [1] 51/3 his [5] 12/16 30/18 30/24 56/2 56/3 hit [2] 11/13 14/14 HON [1] 2/8 honor [35] 12/13 12/15 12/22 12/24 13/10 14/4 14/22 15/3 15/16 18/1 18/9 19/24 22/16 27/18 28/12 29/8 29/15 35/4 35/24 39/12 41/6 41/15 42/11 43/1 43/14 44/21 45/13 45/23 46/15 47/17 47/23 48/6 49/22 53/7 53/18 HONORABLE [2] 1/9 1/10	Honors [2] 44/15 50/18 hoops [1] 8/8 hope [4] 21/16 35/2 54/24 58/20 hopefully [2] 3/3 19/3 horizon [1] 4/24 hour [3] 55/3 56/2 58/15 hours [5] 21/19 43/16 51/25 53/1 53/14 Houston [3] 1/14 2/5 36/16 how [22] 6/21 10/11 10/20 11/17 11/21 14/24 18/16 20/3 21/3 25/15 26/2 26/25 43/16 43/16 45/5 47/21 54/8 54/19 55/13 55/16 55/19 57/8 however [1] 38/8 huge [1] 43/7 hundreds [1] 59/9 hurdles [1] 26/22 hurt [1] 27/11 husband [1] 30/17
H had [37] 3/9 3/12 3/19 3/20 3/23 6/13 6/14 6/14 7/14 8/11 9/9 14/1 14/3 15/4 15/5 15/7 15/10 16/4 17/13 18/6 21/12 21/24 22/19 28/19 31/9 32/7 33/6 33/8 33/11 33/12 35/8 35/23 47/13 50/25 54/1 54/9 56/25 half [3] 55/7 56/2 58/15 Hamilton [8] 32/9 32/10 32/14 32/18 33/20 34/11 34/17 34/25 hand [1] 57/22 handful [1] 24/20 handle [1] 21/3 handled [2] 3/25 22/14 hands [1] 47/19 hang [2] 7/21 57/23 happen [2] 57/19 57/25 happening [6] 9/4 28/25 29/1 38/5 44/6 47/3 happens [2] 57/13 58/4 hard [7] 5/22 6/20 11/2 21/22 38/23 51/8 53/2 hard-working [1] 51/8 harder [2] 21/22 21/23 hardly [1] 54/7 HARRIS [7] 2/1 28/20 29/12 29/16 36/7 47/15 50/23 has [48] 4/10 4/15 4/16 4/17 4/24 5/19 7/1 7/9 7/17 7/18 9/7 9/13 9/15 10/1 10/9 11/9 13/6 13/24 18/1 19/12 21/21 22/10 23/7 24/4 25/13 30/24		I I actually [1] 30/14 I'd [1] 28/2 I's [1] 46/7 I've [1] 50/7 idea [2] 25/2 41/3 ideas [1] 41/10 identified [1] 13/3 identifying [1] 40/14 Illinois [5] 31/8 31/10 31/13 48/21 55/10 Illinois granted [1] 31/13 imagine [3] 17/22 46/25 54/7 imminent [1] 40/4 impact [2] 13/21 13/24 impacts [2] 5/7 5/8 implementing [1] 27/6 importance [1] 44/2 important [14] 5/14 10/2 14/8 25/10 25/18 28/24 29/6 38/1 39/25 47/1 52/1 53/3 58/22 59/14 impressive [1] 51/8 in non-MDL [1] 5/10 in on [1] 48/17 in-chambers [6] 6/12 6/14 6/17 6/24 56/25 57/10 inadvertently [1] 3/14 inaudible [2] 12/17 41/18 inception [2] 27/4 54/18 includes [1] 36/6 including [2] 30/4 32/20 incredible [1] 21/21 indicated [1] 6/14 indirectly [1] 17/23 individual [2] 52/1 52/19 inefficient [1] 20/23 inform [1] 57/4 information [5] 13/5 13/7 16/23 51/21 52/12 informative [1] 57/2 informed [4] 6/2 29/1 44/15 59/18 informs [1] 5/16 Ingelheim [1] 29/17 initial [1] 27/5

I initially [3] 3/7 45/19 45/23 injuries [4] 13/23 14/9 14/12 14/18 injury [5] 9/4 17/13 17/15 19/14 52/3 inner [1] 59/4 input [1] 7/24 insight [1] 49/7 insofar [1] 23/16 intact [1] 19/7 integral [2] 50/3 54/1 intend [2] 13/23 14/10 intended [3] 8/6 8/7 9/6 intent [2] 23/22 47/7 interact [2] 49/11 54/22 interest [1] 41/13 interested [1] 49/15 interesting [3] 4/7 25/24 26/3 Interestingly [1] 30/5 interrogatories [1] 34/24 interrupt [3] 33/3 33/4 39/8 intervention [2] 29/11 53/5 interviewed [1] 10/4 introduce [1] 29/13 intrude [2] 39/8 58/17 inventory [1] 10/2 invest [1] 52/1 invite [2] 44/3 54/24 invited [1] 54/25 involved [8] 10/6 41/23 45/18 48/20 50/25 51/3 51/22 54/2 involvement [1] 26/5 involves [1] 51/17 iPad [1] 42/15 is [246] isn't [2] 26/9 27/1 issue [11] 5/7 20/8 20/11 25/12 25/13 26/9 40/9 41/12 46/11 46/11 46/12 issued [2] 4/24 7/1 issues [26] 9/11 15/4 16/8 16/8 20/24 21/24 21/25 28/21 31/5 36/21 39/4 39/6 39/15 40/12 41/22 42/4 45/1 45/1 45/8 45/9 45/11 47/11 51/14 52/23 53/2 55/24 it [190] it's [9] 4/12 5/18 5/18 15/20 20/4 30/1 46/12 56/18 57/9 Italy [1] 29/25 items [3] 18/11 21/3 22/11 its [3] 23/8 23/8 23/8 itself [1] 43/7	Jim [1] 36/12 job [3] 16/2 40/9 40/14 Joe [4] 12/23 18/4 18/10 21/23 join [5] 32/4 44/3 47/21 55/7 55/12 joined [4] 30/19 48/10 48/15 50/5 joining [1] 55/2 joint [1] 43/20 jointly [1] 43/23 JOSEPH [1] 1/20 judge [49] 1/10 1/11 3/18 3/25 4/8 4/12 5/5 6/1 7/20 8/2 8/24 12/14 18/5 27/16 27/16 28/14 31/21 32/6 32/18 32/22 32/24 33/19 33/25 34/3 34/16 35/8 35/25 37/14 38/12 38/16 38/21 38/21 38/22 39/3 39/4 43/4 44/11 47/16 54/17 55/4 55/9 56/1 56/12 56/14 57/5 57/8 57/17 58/10 58/13 judges [13] 10/25 29/2 36/1 36/23 38/6 38/23 38/25 43/4 43/23 43/24 44/3 44/16 55/19 judgment [1] 5/11 judicial [5] 25/14 31/19 37/11 55/12 57/21 jump [1] 48/17 jumped [1] 15/18 junction [1] 4/25 junior [1] 48/12 jurisdictional [1] 31/3 jurisdictions [2] 29/13 40/2 just [59] 3/12 4/15 4/17 5/14 5/20 9/12 9/22 12/4 14/7 14/25 15/4 16/16 18/25 20/9 20/23 20/25 21/14 22/3 22/19 22/22 23/5 23/17 24/5 25/9 26/13 26/14 26/20 27/1 27/3 27/21 29/9 31/6 33/3 33/4 36/7 37/14 37/17 38/10 39/9 39/17 40/13 41/7 41/25 42/7 42/22 44/14 45/20 46/4 46/16 46/20 47/2 48/10 50/4 50/11 50/22 52/9 53/3 56/23 59/13 justice [2] 52/15 52/17	known [1] 36/4 knows [5] 7/17 13/22 14/6 15/3 24/4 L labor [2] 9/18 30/17 laid [1] 10/19 language [2] 45/23 45/25 large [7] 5/18 16/20 16/21 21/12 21/15 38/14 53/12 largely [1] 51/4 larger [1] 6/9 largest [1] 14/2 last [21] 3/17 6/13 6/16 6/23 7/14 9/13 13/20 13/20 16/18 28/16 30/22 31/7 31/12 32/22 33/18 34/25 35/12 49/25 51/25 52/9 54/4 late [1] 50/4 later [2] 9/21 15/9 law [5] 21/14 30/12 30/14 50/21 51/12 laws [1] 40/2 lawyer [1] 3/23 lawyers [12] 11/1 29/20 36/11 36/11 37/5 38/14 39/20 54/20 54/22 58/11 59/10 59/15 LDC [6] 48/23 50/23 54/18 54/20 58/11 60/1 lead [2] 31/3 45/3 leaders [4] 59/7 59/8 59/16 59/19 leadership [6] 4/13 10/3 13/22 14/9 50/9 51/6 leading [1] 59/9 leads [6] 40/22 41/4 41/9 54/24 58/25 59/4 learn [2] 50/13 55/21 learned [1] 54/12 learning [1] 47/3 least [8] 18/15 24/24 25/6 26/10 28/17 39/1 44/19 47/2 leave [3] 26/1 31/2 32/3 leaves [1] 32/17 legislation [1] 48/9 legitimate [1] 15/6 lenient [1] 16/7 let [13] 4/21 10/14 11/13 12/21 18/10 28/11 46/20 48/1 48/3 56/6 56/21 57/25 58/7 let's [3] 4/22 47/20 58/7 level [1] 47/3 Lexitas [1] 19/12 liability [3] 1/5 30/21 33/23 liaison [1] 36/2 life [2] 30/24 35/12 like [29] 4/16 13/11 20/11 31/6 34/25 39/4 40/18 41/16 42/2 42/9 43/11 44/9 45/6 45/21 47/9 48/4 49/18 50/10 52/3 52/16 52/21 53/11 53/15 53/21 55/13 56/18 57/13 59/19 59/20 likely [1] 28/1 Limitations [1] 23/17 limits [1] 43/16
J jail [1] 3/10 Jaime [1] 6/18 January [2] 9/14 31/12 January 19th [1] 31/12 January 21st [1] 9/14 JCCP [2] 31/20 44/8 Jerry [1] 34/17	K Kaye [1] 1/23 keep [11] 3/9 6/10 7/9 7/16 10/17 26/16 26/24 29/1 47/2 59/17 59/21 keeping [4] 7/6 31/1 44/15 59/5 kept [1] 38/3 Kherkher [2] 1/13 18/8 kick [1] 29/9 kilter [1] 56/19 kind [8] 4/6 12/25 16/16 27/7 44/11 44/12 44/14 58/20 King [3] 2/1 29/16 30/19 knew [2] 52/11 52/12 knocks [2] 56/18 56/19 know [65] knowing [4] 29/2 38/11 38/11 38/21	

L Lincoln [1] 30/23 line [5] 12/21 43/1 43/3 43/13 44/16 lines [1] 36/13 lining [1] 53/23 linings [2] 35/14 35/17 list [2] 22/24 22/24 listed [1] 22/22 litigant [2] 3/17 3/19 litigants [5] 23/11 36/23 39/18 39/20 53/7 litigate [1] 23/10 litigated [2] 36/16 36/18 litigating [2] 25/23 37/24 litigation [36] 1/5 13/2 13/24 14/10 16/22 18/17 22/5 23/10 26/5 26/10 29/21 30/16 30/21 33/12 36/10 37/2 37/10 39/14 43/8 43/21 44/2 45/6 48/8 48/18 49/7 51/1 51/2 51/3 51/4 51/11 52/5 52/8 52/12 52/20 58/8 59/16 litigations [4] 17/6 43/9 43/18 43/19 little [9] 12/20 20/5 29/23 35/19 36/25 42/8 50/4 50/6 58/12 live [1] 52/5 lived [1] 30/3 living [1] 55/25 LLP [2] 1/23 2/1 LMI [4] 13/6 15/8 16/2 21/13 loke [1] 6/6 long [6] 5/20 21/18 41/8 45/19 45/21 45/22 longer [1] 25/7 look [11] 4/21 6/20 25/15 27/3 27/21 28/23 29/7 35/4 56/5 58/10 59/24 looked [1] 21/1 looking [6] 26/7 33/5 33/15 49/10 54/15 57/23 lost [2] 57/15 59/8 lot [18] 4/24 5/6 5/17 5/21 6/25 9/24 10/9 21/19 21/19 22/18 35/16 38/17 46/21 52/4 53/12 55/24 56/4 57/4 lots [1] 49/13 loves [1] 30/25 loyalty [1] 19/9 luck [1] 47/18 lunch [6] 35/5 54/16 54/25 55/2 55/6 60/1	making [2] 25/16 37/7 man [1] 21/19 management [10] 4/23 7/23 9/13 23/1 31/4 31/17 32/22 34/5 44/8 47/1 mandatory [1] 40/20 manner [1] 37/21 Manual [1] 39/13 many [15] 4/15 4/15 5/19 10/19 24/12 35/14 35/20 43/16 43/17 48/25 49/12 49/17 52/6 55/18 58/25 map [1] 13/12 mapping [1] 13/5 March [4] 31/24 32/5 33/25 37/12 March 9 [1] 33/25 mark [2] 4/20 9/4 market [1] 5/20 married [1] 52/16 mass [2] 15/4 51/16 massive [1] 59/16 master [24] 4/14 6/18 8/2 8/15 11/7 14/13 14/23 15/17 16/7 16/14 17/13 19/5 20/2 20/12 20/15 20/18 20/22 21/21 25/25 51/11 54/11 55/1 55/8 57/6 master's [1] 7/13 match [1] 9/6 matched [3] 13/7 13/15 30/17 matches [1] 8/18 matching [1] 9/20 maternity [1] 31/2 matter [3] 16/11 28/15 60/9 matters [5] 3/10 7/16 32/20 36/3 41/5 MATTHEWS [8] 2/4 2/4 28/18 36/1 39/6 39/12 41/16 42/2 mature [1] 12/25 may [23] 3/16 18/5 18/6 18/7 18/14 18/18 20/13 20/17 21/2 23/20 27/23 30/22 40/4 41/6 41/20 42/5 42/18 44/21 44/23 45/9 50/6 58/2 58/24 maybe [10] 4/16 5/23 7/6 10/10 10/17 40/25 50/5 53/23 54/4 55/5 McGLAMRY [10] 1/16 1/16 1/17 45/13 46/23 47/21 50/17 50/19 50/22 53/13 md [1] 1/3 MDL [26] 4/8 4/20 4/25 5/4 5/10 6/21 16/20 17/5 25/14 26/7 32/16 33/11 36/3 42/23 43/2 43/3 43/10 44/4 44/5 44/12 44/12 45/3 47/5 51/5 55/10 55/23 MDLs [5] 25/15 36/19 36/19 37/25 37/25 me [24] 4/9 6/24 7/17 8/24 12/21 18/10 23/7 25/9 25/10 28/11 31/1 35/4 35/5 39/24 41/19 46/20 47/2 47/10 48/17 48/22 49/6 51/5 56/6 57/4 mean [3] 21/22 24/3 53/25 meaning [2] 5/24 13/5 meaningful [2] 50/10 52/16	means [3] 5/20 26/11 42/19 meantime [1] 34/6 mechanisms [1] 46/1 medical [4] 14/17 19/15 30/21 51/20 medical device [1] 30/21 meet [10] 5/9 6/15 6/15 6/21 8/9 27/25 28/17 31/16 34/9 35/15 meeting [2] 6/13 6/24 meetings [1] 56/4 member [1] 52/11 members [3] 48/23 51/17 58/11 memorialize [1] 60/2 Memphis [1] 36/8 mention [1] 35/8 mentioned [6] 9/15 14/8 15/13 32/24 37/14 55/9 mentioning [1] 46/9 mentorship [1] 48/12 merits [3] 24/4 24/5 24/8 met [3] 13/20 13/20 28/19 mic [1] 47/25 MICHAEL [1] 1/16 microphone [1] 18/7 middle [2] 16/5 16/10 might [4] 10/18 26/3 41/1 45/13 mike [2] 29/6 45/13 miles [1] 30/1 military [1] 30/3 mind [2] 14/7 20/9 mindful [1] 38/1 mini [1] 44/12 minimum [1] 59/3 miss [1] 57/14 missed [1] 23/24 mistake [1] 58/4 mistakes [2] 57/19 57/23 model [1] 59/20 modest [1] 51/16 moment [4] 9/22 14/17 14/19 48/15 Monday [2] 15/25 16/3 month [6] 30/23 31/12 32/23 33/18 35/13 44/10 monthly [2] 6/15 6/15 months [5] 9/25 10/22 25/7 35/12 52/9 more [21] 3/22 5/6 10/18 13/11 16/22 28/2 29/19 33/16 35/19 38/7 44/13 44/18 47/14 48/12 49/8 49/11 49/13 52/10 54/19 54/23 58/24 morning [1] 3/10 most [7] 12/17 14/8 30/24 32/7 38/1 45/17 50/13 motion [5] 5/10 8/5 31/13 32/3 32/6 motions [19] 5/11 5/12 5/13 6/6 6/6 6/7 6/8 20/19 21/1 24/6 28/9 32/21 33/19 34/1 34/2 34/18 34/20 37/2 49/5 move [6] 7/9 7/21 43/8 47/14 53/1 58/5 moved [2] 30/18 33/20 movement [1] 31/9
M ma'am [1] 54/3 made [4] 13/9 15/12 20/22 48/16 MAGISTRATE [1] 1/11 main [1] 36/16 make [14] 3/11 8/7 8/16 11/23 12/8 20/20 22/20 24/9 27/8 27/14 40/14 52/20 53/2 56/6 makes [4] 42/13 43/23 48/1 51/25		

M moving [8] 6/11 7/6 7/9 8/17 10/11 19/22 31/17 43/6 Mr [29] 12/11 12/12 12/16 12/21 14/12 14/22 16/6 17/9 18/1 18/19 19/21 20/2 20/9 20/14 21/20 22/23 23/14 25/11 28/8 28/17 28/19 39/6 41/8 41/16 42/2 42/21 44/23 46/23 48/15 Ms [2] 48/3 50/22 Ms. [7] 28/20 29/12 36/7 47/15 47/21 47/21 50/17 Ms. Harris [4] 28/20 29/12 36/7 47/15 Ms. McGlamry [2] 47/21 50/17 Ms. Nino [1] 47/21 much [25] 3/10 4/16 4/21 5/7 5/23 6/1 6/2 10/1 10/13 10/22 10/25 33/14 35/5 48/5 50/9 50/16 51/14 52/21 52/25 53/24 54/9 58/10 58/13 58/16 60/5 mull [1] 42/20 multi [1] 48/9 multi-district [1] 48/9 must [1] 10/21 mute [1] 12/21 my [36] 6/1 8/2 8/14 12/21 14/7 17/25 18/6 27/14 29/6 29/23 30/2 30/5 30/10 30/14 30/17 30/23 31/1 31/2 33/5 36/16 36/25 40/9 40/14 42/14 45/23 47/25 48/6 48/13 49/2 49/19 51/2 51/11 51/13 54/4 54/4 57/4 myriad [2] 39/6 51/22 myself [1] 29/23	next [25] 9/23 9/25 9/25 10/22 13/10 13/18 14/22 15/21 16/1 17/21 28/15 29/14 29/22 34/12 35/25 47/15 47/15 47/20 54/7 54/16 54/21 56/5 58/11 59/25 60/1 NFL [3] 51/3 54/1 54/2 nice [5] 3/2 4/12 16/11 33/8 50/1 nine [3] 30/23 35/12 35/13 NINO [4] 1/20 47/21 48/3 48/6 no [7] 1/3 3/14 10/16 19/10 24/3 31/15 57/16 nobody [2] 3/16 25/2 noise [1] 40/23 non [9] 5/4 5/10 19/6 20/4 21/11 22/23 22/23 32/13 37/25 non-designated [4] 19/6 20/4 21/11 22/23 non-diverse [1] 32/13 non-MDL [1] 5/4 non-MDLs [1] 37/25 non-ten [1] 22/23 none [1] 4/3 nonsuited [1] 34/14 noon [1] 55/4 normal [2] 16/24 58/7 north [1] 30/1 Northern [1] 31/12 not [73] notable [1] 9/7 note [3] 8/25 10/15 22/23 notes [1] 33/5 nothing [1] 24/4 notice [5] 15/20 22/6 24/13 24/18 24/19 notices [7] 14/4 15/22 15/22 15/25 19/25 46/2 46/18 noticing [1] 46/17 novel [1] 26/21 November [1] 45/20 now [35] 5/3 7/5 8/20 14/15 14/25 17/13 18/21 19/11 19/17 20/5 20/18 20/20 21/16 22/23 23/25 25/6 25/24 28/5 30/23 31/14 33/19 33/25 44/4 44/14 46/17 48/2 52/7 54/10 55/11 55/15 55/24 56/3 57/11 57/20 59/1 Nueces [1] 36/12 number [17] 3/4 3/9 14/8 14/11 15/14 16/25 17/1 18/11 21/12 21/15 22/11 23/14 39/14 39/17 39/17 42/25 50/25 numbers [2] 6/9 37/13 NW [1] 1/21 NY [1] 1/24	28/3 40/1 42/14 45/8 45/17 46/14 46/21 52/6 occur [2] 40/4 58/8 occurring [1] 9/11 off [10] 3/6 18/10 20/25 29/6 29/9 41/8 44/7 47/25 50/15 56/19 offer [1] 33/1 offering [1] 32/25 office [1] 36/16 offices [1] 36/17 Official [2] 2/7 60/12 officially [1] 50/23 often [1] 5/6 okay [14] 6/9 12/19 12/20 12/22 18/3 23/5 27/20 28/2 28/13 29/24 44/20 45/12 47/20 58/14 old [2] 30/24 35/13 on pharma [1] 30/20 on that [1] 20/14 Once [1] 22/5 one [45] 3/14 4/18 4/19 4/20 9/4 9/8 9/13 11/4 11/5 11/5 13/20 13/21 14/8 16/20 23/25 23/25 24/4 24/6 24/7 25/12 25/13 25/16 31/11 32/19 34/24 38/3 38/8 38/10 38/20 39/17 39/22 40/10 41/25 42/19 42/25 43/14 43/18 45/14 48/19 49/1 55/22 57/8 57/16 58/22 58/23 one-year [2] 9/4 9/8 ones [2] 16/3 53/3 ongoing [3] 36/10 37/5 58/24 only [15] 7/9 9/13 9/19 18/17 19/9 20/21 24/20 30/2 31/11 31/25 32/13 45/20 46/11 49/17 58/9 open [3] 43/1 43/3 58/6 opened [2] 36/13 57/9 opener [1] 51/5 opening [1] 4/11 opinion [1] 27/23 opportunities [1] 49/13 opportunity [14] 25/3 25/11 29/19 47/13 48/22 49/16 49/20 50/20 50/25 51/7 52/17 54/22 55/17 57/6 oral [1] 32/4 order [14] 4/23 7/24 17/11 17/16 17/19 19/9 23/1 32/6 34/7 40/19 43/5 46/5 47/9 60/3 ordering [2] 19/12 19/13 orderly [2] 37/20 39/19 orders [16] 7/1 23/21 27/6 27/8 35/1 37/4 38/15 38/17 39/1 39/2 42/14 42/16 42/17 42/19 43/2 44/8 orders governing [1] 35/1 organization [2] 7/5 16/15 organizational [1] 7/13 organized [2] 7/17 16/14 original [2] 17/14 17/15 originally [1] 29/25 other [29] 3/23 4/4 4/15 5/7 5/9 6/7 7/3 9/12 16/1 16/8
N name [4] 12/6 12/9 31/25 48/6 named [2] 32/1 32/2 names [2] 31/11 44/16 Nashville [1] 30/15 nationwide [1] 44/2 nationwide importance [1] 44/2 nature [2] 5/13 5/18 NE [1] 1/17 near [1] 20/7 necessarily [1] 59/2 necessary [1] 6/5 need [16] 6/9 10/20 10/20 11/20 19/8 20/22 25/15 29/11 45/8 53/4 57/21 58/3 59/7 59/10 59/17 59/19 needed [6] 15/14 16/15 37/19 37/22 52/12 58/16 needs [6] 8/5 11/9 18/25 41/11 44/24 46/15 negative [1] 17/3 negotiating [2] 37/3 45/18 never [2] 47/7 52/25 new [10] 1/24 7/4 8/22 9/17 26/5 36/17 48/9 48/10 48/21 55/11	O obligations [1] 58/18 observation [1] 25/24 observe [2] 49/17 50/12 obtain [1] 52/17 obtained [1] 30/10 obviously [10] 19/24 22/3	

O other... [19] 17/18 20/24 21/25 23/9 37/13 38/11 39/1 46/21 48/23 50/25 51/16 51/21 51/22 54/22 57/22 58/6 58/9 58/18 59/10 others [10] 14/7 17/5 24/7 25/12 41/1 41/14 46/10 58/25 59/20 59/24 our [33] 5/4 6/17 9/13 11/7 11/9 11/11 11/16 12/7 19/24 20/9 20/18 21/15 28/9 29/19 29/21 31/7 41/16 42/9 44/14 45/4 47/20 49/5 51/4 51/14 51/23 52/4 52/10 52/16 52/23 56/19 59/7 59/25 60/1 ourselves [4] 3/9 11/21 42/2 58/16 out [38] 4/7 5/25 6/23 8/4 11/14 11/14 11/16 12/20 14/20 15/25 16/2 16/3 16/11 16/25 19/1 21/24 23/25 32/24 33/1 33/15 33/17 35/8 36/4 36/7 37/19 38/5 40/15 41/4 41/24 42/6 43/14 45/11 50/7 55/1 56/8 56/18 58/25 59/17 outage [1] 12/17 output [1] 8/15 outset [1] 8/12 outsider [1] 23/20 over [22] 10/22 11/1 11/25 15/21 16/1 17/8 17/21 18/13 21/8 29/12 30/3 34/13 35/12 36/18 37/8 37/16 42/15 42/15 42/20 43/24 48/2 51/9 overall [1] 37/1 overseeing [1] 31/4 oversight [1] 7/12 own [3] 45/1 51/15 52/24	party [2] 32/13 50/4 pass [2] 4/5 14/1 passed [1] 52/10 past [3] 7/1 9/18 48/10 patient [1] 3/25 Pauline [3] 2/7 12/7 60/12 pause [1] 14/14 paused [1] 14/25 Peachtree [2] 1/17 2/2 penalized [1] 15/9 pending [4] 36/5 36/12 37/3 37/9 people [17] 3/22 14/11 16/4 16/8 18/14 18/23 23/9 23/15 24/2 43/17 46/12 50/13 52/16 55/18 57/14 57/22 57/23 people are [1] 57/22 perceive [2] 40/9 40/14 perceived [1] 58/20 percent [2] 21/11 23/2 perfect [1] 12/8 perhaps [2] 14/6 21/10 period [4] 15/20 25/5 25/8 26/19 periods [1] 59/5 permission [1] 12/15 person [1] 47/10 personal [2] 17/13 17/15 perspective [3] 18/1 42/23 50/6 petition [3] 31/19 31/23 32/4 PETROSINELLI [12] 1/20 12/11 12/21 12/23 18/19 19/21 20/2 20/9 20/15 21/20 25/11 48/15 PFC [1] 51/13 Pfizer [5] 32/12 34/14 48/7 48/20 48/24 Pfizer's [1] 49/8 pharma [1] 30/20 pharmacovigilance [2] 49/9 50/1 phase [3] 8/22 9/17 9/23 phone [2] 14/7 30/7 piece [1] 16/18 Pierce [1] 2/8 Pierce/West [1] 2/8 piggyback [1] 57/8 pillars [1] 6/3 pivotal [2] 4/25 4/25 place [8] 5/3 19/17 22/11 24/12 26/15 43/15 45/16 46/5 Plaintiff [3] 22/4 24/10 25/17 PLAINTIFFS [20] 1/13 14/11 15/5 17/12 17/21 18/9 18/13 19/5 19/13 19/16 21/10 22/3 22/12 23/12 23/14 28/19 31/18 34/10 50/19 52/20 Plaintiffs' [15] 13/22 14/9 18/16 19/11 21/19 31/13 33/21 33/22 34/23 36/5 37/5 39/24 49/11 50/23 52/22 planned [1] 9/5 plans [2] 8/17 34/3 play [3] 50/3 50/10 53/7 played [1] 30/8 playing [2] 53/12 57/17	plead [1] 33/22 pleadings [2] 32/20 57/15 please [2] 18/15 56/21 pleased [3] 26/25 27/15 50/2 pleasure [5] 11/1 33/9 49/1 51/10 53/6 PLLC [1] 1/13 plowing [1] 26/25 plus [6] 13/2 15/15 17/12 21/10 27/5 34/15 point [13] 4/25 9/2 9/8 13/23 16/13 18/20 24/11 26/3 29/10 41/20 41/25 42/7 45/23 pointed [1] 43/14 points [2] 22/19 23/6 pop [1] 3/14 Pope [2] 1/17 50/22 Porter [1] 1/23 positive [1] 17/4 possible [1] 11/15 possibly [1] 46/20 potential [2] 17/11 17/18 potentially [1] 13/8 power [2] 12/17 56/19 practicality [1] 23/8 practice [3] 8/5 30/14 30/20 practiced [1] 30/16 practicing [2] 50/21 59/14 precise [1] 22/21 predominant [1] 25/13 predominantly [1] 36/11 preemption [1] 33/21 prejudice [1] 58/3 prejudiced [1] 57/20 preliminary [1] 22/24 premature [6] 20/5 20/10 20/13 20/17 41/21 42/8 prepared [3] 4/11 42/1 46/14 preparing [1] 49/8 prescription [1] 19/9 present [3] 29/7 29/20 40/10 presentation [14] 12/18 22/17 27/13 27/15 28/23 33/4 35/7 35/10 35/23 50/2 50/16 53/24 54/14 55/13 presentations [2] 56/10 56/24 presented [1] 38/16 presenting [3] 12/5 14/5 29/17 preserve [1] 24/9 preside [2] 11/1 43/23 presumably [1] 4/3 presume [1] 35/19 pretend [1] 42/5 pretrial [3] 32/19 34/16 38/15 pretty [2] 52/13 58/15 primarily [1] 51/3 prior [2] 43/19 51/2 priority [2] 39/17 40/2 privilege [2] 34/7 35/2 probably [5] 4/16 16/25 20/6 20/19 35/19 problem [4] 28/6 28/7 45/10 58/4 problems [5] 12/16 40/15 41/17 41/17 42/3
P P.C [1] 1/17 page [1] 46/17 pages [2] 46/20 46/22 PALM [3] 1/2 1/5 2/8 pandemic [1] 30/22 paramount [1] 44/13 parents [2] 30/5 35/20 part [12] 3/8 5/3 7/11 11/17 15/2 16/24 17/4 38/14 39/1 49/3 55/6 55/20 participants [5] 3/4 9/10 39/11 47/21 59/1 participate [2] 16/22 23/9 participated [1] 56/25 participating [1] 19/23 particular [2] 48/19 57/11 particularly [5] 6/20 26/22 31/8 49/14 55/22 parties [17] 5/19 7/10 7/10 23/23 24/9 24/23 25/22 26/20 27/10 28/24 31/16 34/6 34/22 34/25 43/2 46/13 53/2 parties' [2] 5/9 5/17 partner [2] 53/25 54/20 partnership [1] 11/22 parts [1] 43/6		

P	17/24 18/6 20/25 24/12 26/15 47/11 52/22 52/25 53/9 53/9 putting [2] 48/11 53/12	reflect [1] 7/2 regard [1] 37/21 registry [27] 8/23 8/25 9/2 9/15 12/3 12/25 14/20 15/12 15/24 17/25 18/22 19/7 19/18 21/9 21/10 22/8 22/9 22/14 23/7 23/16 24/16 25/5 25/20 26/1 27/2 27/4 51/14 regular [2] 59/2 59/3 regularly [1] 8/13 reinforcement [1] 11/20 REINHART [10] 1/10 4/12 5/6 7/20 8/24 27/17 36/1 54/17 55/4 56/12 Reinhart's [2] 6/1 8/2 related [2] 17/23 51/1 relates [6] 17/9 17/9 21/4 21/9 40/19 46/10 relatively [1] 48/10 remain [3] 19/7 25/5 37/18 remains [1] 11/23 remand [1] 31/13 remark [1] 26/14 remarkable [3] 7/15 9/16 35/22 remarks [1] 4/11 rematch [1] 13/17 remedy [4] 57/21 57/22 58/2 58/7 remember [3] 10/3 35/14 59/14 remind [2] 11/21 12/4 reminding [1] 46/23 removed [2] 22/7 32/15 repeat [2] 36/7 57/11 repeating [1] 37/1 repleadings [1] 24/7 repled [2] 20/18 24/7 replicate [1] 3/16 report [1] 17/25 reporter [4] 2/7 12/7 60/12 60/13 represent [3] 48/7 48/24 51/16 representing [4] 24/13 29/17 51/23 59/15 request [1] 44/19 requests [2] 34/10 34/24 require [1] 40/5 required [1] 51/6 requirements [1] 18/20 requiring [1] 18/23 reread [2] 18/15 27/8 residency [1] 30/18 resolution [1] 7/16 resolve [3] 11/6 11/8 52/23 resolved [4] 7/19 7/21 8/4 53/4 resources [1] 38/24 respect [6] 8/22 17/22 21/5 26/8 40/17 45/4 respond [4] 22/19 32/4 42/22 44/21 response [1] 27/14 responses [2] 34/11 34/23 responsive [1] 32/20 rest [2] 10/16 48/16 restraining [1] 3/9
proceed [4] 18/5 18/7 18/16 45/5 proceeding [2] 31/20 44/9 proceedings [3] 37/11 57/9 60/9 process [36] 6/10 9/1 9/11 10/23 13/3 14/4 15/14 15/17 15/19 16/13 16/24 17/16 18/22 19/3 19/10 19/17 19/21 19/23 21/14 21/18 22/2 23/8 23/19 23/19 25/10 25/21 26/18 26/19 27/10 37/10 49/7 49/10 55/13 55/20 57/18 58/4 processes [2] 24/12 26/15 produced [1] 7/7 product [1] 30/21 production [3] 34/8 34/11 34/24 products [4] 1/5 13/8 13/9 33/23 professional [2] 11/4 51/24 professor [4] 11/6 11/7 54/10 54/11 program [1] 19/9 progress [1] 37/7 project [2] 10/8 10/9 projects [1] 51/1 pronunciation [1] 49/24 proof [4] 9/3 19/14 19/14 51/20 proper [1] 37/20 properly [2] 22/15 57/16 proposed [1] 38/15 pros [1] 28/3 protect [2] 22/11 23/16 Protection [1] 33/23 protocol [10] 19/14 34/7 34/7 39/20 39/25 40/17 40/19 41/2 41/16 45/17 protocols [3] 37/3 37/4 41/21 provide [4] 16/23 24/13 29/20 32/25 provided [2] 13/6 13/7 provider [1] 19/15 provides [1] 52/16 providing [1] 44/15 PTO [17] 9/9 13/21 14/5 14/6 14/16 14/22 14/23 15/2 15/12 15/16 16/16 17/22 18/11 18/14 20/6 21/8 45/16 PTOs [3] 9/12 24/13 27/3 Puerto [1] 48/21 PULASKI [15] 1/13 1/13 12/12 12/16 14/12 14/23 16/6 17/9 18/1 18/8 18/8 22/24 23/14 28/8 41/8 pull [1] 9/3 punitive [1] 8/7 purpose [1] 18/21 purposes [3] 11/13 26/10 34/16 pursue [3] 13/23 14/10 26/11 pursuing [1] 52/12 push [1] 43/7 put [13] 3/11 10/3 14/25	Q quarantine [1] 30/25 quarterly [2] 18/20 18/23 question [4] 7/7 22/20 42/12 42/23 questioned [1] 43/17 questioning [1] 46/19 questions [6] 26/7 33/11 33/12 36/15 45/14 55/5 quickly [4] 7/20 11/15 15/18 48/17 quite [7] 16/21 16/25 24/21 24/21 35/11 48/20 54/6	R radar [1] 20/2 radiation [1] 52/7 raised [2] 23/6 39/4 ramp [1] 10/18 RANITIDINE [2] 1/4 13/16 RE [1] 1/4 reach [6] 7/15 28/1 36/7 37/19 38/5 41/4 reached [4] 32/24 35/8 36/4 38/15 reaching [3] 33/1 33/14 33/16 read [1] 18/14 ready [3] 18/25 37/18 57/21 real [2] 50/10 54/8 reality [2] 26/13 43/8 realize [2] 7/22 8/21 really [34] 3/25 7/11 13/1 17/6 18/11 18/21 19/2 20/20 24/4 25/18 26/14 39/2 40/6 41/11 42/10 47/1 48/17 48/22 49/1 49/6 49/9 49/20 50/10 50/13 51/5 53/3 53/13 54/15 54/18 55/19 56/1 57/11 57/24 59/13 reason [4] 15/8 15/16 20/17 59/12 recalling [1] 42/18 received [2] 4/8 12/2 recent [2] 6/12 9/9 recently [4] 34/15 34/19 36/2 49/8 recognition [1] 26/16 recognize [4] 9/23 10/14 10/21 11/16 recognizing [1] 24/21 recollection [1] 13/14 record [7] 7/18 12/8 12/9 19/23 45/20 46/16 60/9 records [14] 9/4 9/19 13/11 13/12 13/16 14/17 19/9 19/10 19/12 19/14 19/15 19/16 51/19 51/20 recurring [1] 43/21 reenter [1] 22/9 reference [1] 46/4 referenced [3] 25/12 39/13 52/18 referred [2] 30/12 31/20

R resulted [1] 14/5 retail [1] 19/10 retailers [1] 31/25 return [1] 31/2 review [1] 10/7 Richmond [1] 1/14 Rico [1] 48/21 right [16] 5/3 7/5 11/2 13/20 14/14 14/17 16/17 17/7 20/5 44/4 44/14 48/2 49/25 52/7 53/18 55/24 rights [2] 23/16 24/9 road [6] 1/17 11/13 24/11 30/6 32/3 44/17 Robert [1] 55/9 ROBIN [2] 1/9 2/8 role [9] 8/1 36/4 50/3 50/10 50/10 53/8 53/12 54/1 55/14 rolling [1] 15/20 Rome [1] 29/25 ROSENBERG [10] 1/3 1/9 2/8 32/24 36/1 56/15 57/5 57/9 57/17 58/10 round [3] 20/19 24/6 28/5 rule [1] 25/16 rules [10] 17/5 25/14 25/15 55/11 55/12 55/13 55/15 55/19 55/23 56/3 rulings [3] 6/4 6/5 11/16 run [1] 18/22 running [2] 21/16 46/12	59/1 seeing [5] 27/22 44/9 49/10 55/25 56/5 seek [1] 58/6 seem [5] 23/20 24/23 26/24 28/4 45/21 seems [2] 23/17 25/17 seen [6] 3/17 43/16 43/19 44/1 44/7 52/25 selected [1] 10/4 senior [2] 29/16 54/23 sense [6] 22/22 27/8 42/13 43/23 51/25 52/20 sent [1] 56/7 separate [1] 25/16 September [2] 48/11 50/5 serve [3] 6/3 10/5 18/21 served [7] 20/25 30/2 31/3 34/10 34/14 34/23 57/15 served as [1] 31/3 serving [1] 28/18 set [14] 6/21 6/25 7/23 8/8 8/9 8/9 8/10 11/24 15/25 19/10 23/23 34/2 34/20 37/11 setbacks [1] 35/16 setting [3] 3/20 27/4 39/24 settings [2] 40/3 40/5 seven [2] 46/17 51/17 several [2] 7/1 16/4 shall [1] 47/14 shared [1] 23/22 sharing [2] 19/16 29/22 she [16] 7/15 7/17 7/17 7/17 8/1 11/6 11/9 12/9 15/18 15/18 21/22 21/25 23/21 29/14 39/2 51/11 Shelby [5] 32/9 34/13 34/21 34/22 34/24 shine [1] 50/14 short [12] 17/11 17/14 17/19 20/8 20/10 20/11 20/20 20/24 21/5 21/6 27/22 27/24 shortly [2] 37/6 60/3 should [8] 4/4 10/15 21/6 27/24 27/25 38/8 39/7 57/18 shouldn't [2] 26/17 45/10 show [3] 4/3 13/16 50/15 shown [3] 8/19 15/23 58/3 shuffle [1] 13/16 side [11] 9/17 17/19 18/16 21/19 24/17 25/18 37/6 41/9 42/9 45/5 51/4 sidelines [1] 50/11 sides [6] 7/10 7/24 25/19 26/16 38/10 41/4 Signature [1] 60/13 significant [1] 13/19 silver [3] 35/14 35/17 53/23 similar [1] 43/23 simple [1] 57/23 simply [1] 38/10 since [9] 4/18 9/13 13/20 31/2 31/7 31/15 33/6 50/21 57/10 sit [1] 50/11 sits [1] 55/9 situation [5] 4/2 23/24 40/20 42/5 56/21	situations [1] 43/12 six [3] 25/6 31/11 34/17 size [1] 17/6 skilled [1] 49/17 skills [1] 7/13 sleeting [1] 16/11 small [5] 16/25 20/23 30/1 37/13 53/8 smaller [2] 5/4 27/1 smile [2] 3/24 30/25 Smith [2] 31/21 32/6 smooth [1] 22/2 smoothly [4] 3/12 18/23 21/16 43/10 so [147] so-called [1] 15/22 sociology [1] 30/11 some [32] 3/3 3/12 3/16 3/19 9/10 10/10 10/17 15/4 15/5 15/8 17/18 18/13 19/24 20/1 20/22 22/3 24/11 26/17 28/9 31/9 35/17 36/3 37/2 37/3 37/15 41/23 42/17 43/9 44/25 45/9 54/12 58/6 somebody [1] 3/5 someone [3] 15/6 48/9 57/20 something [20] 3/15 7/4 38/7 40/6 40/18 40/25 41/11 41/13 42/19 42/20 42/25 44/2 46/5 46/7 47/12 47/12 48/13 49/14 54/17 57/9 sometime [1] 15/8 sometimes [3] 43/2 43/20 44/1 son [1] 30/23 soon [2] 3/3 35/3 sorry [3] 18/6 41/7 41/19 sort [12] 3/19 4/19 14/14 14/25 15/20 17/9 17/23 45/14 46/2 46/6 46/11 58/8 sought [1] 31/24 sounds [1] 53/11 SOUTHERN [1] 1/1 Spalding [2] 2/1 29/16 Spalding's [1] 30/19 span [1] 5/20 speak [8] 12/6 26/6 28/4 28/21 33/9 37/16 42/11 50/20 speakers [1] 3/7 speaking [2] 17/21 54/17 speaks [1] 9/10 special [23] 4/14 6/18 7/13 7/13 8/2 8/15 11/7 14/13 14/23 15/16 16/6 16/14 19/5 20/2 20/15 21/21 25/25 51/10 51/11 54/11 54/25 55/8 57/6 specifically [1] 30/20 specified [1] 13/22 speed [1] 48/17 spend [3] 35/19 51/13 56/2 spent [2] 30/24 51/24 spoken [1] 33/6 spot [1] 47/12 spring [2] 41/12 47/7 spurred [1] 13/21 staff [1] 51/17 stage [5] 12/24 13/1 13/10 39/11 49/19
S Sackett [1] 2/5 said [13] 11/19 11/19 13/13 18/10 19/21 21/20 33/6 38/17 45/6 46/20 50/7 57/17 58/10 sake [1] 8/8 same [3] 9/3 22/12 43/22 Sanofi [1] 32/13 sat [1] 55/15 say [22] 4/3 4/22 9/5 13/10 14/16 15/20 16/3 16/18 17/8 20/17 23/2 27/21 35/11 36/25 41/7 42/21 49/25 52/14 56/13 57/9 58/25 59/19 saying [1] 59/11 schedule [3] 31/17 31/23 34/5 scheduled [2] 33/25 34/9 scheduling [2] 34/2 34/4 Scholer [1] 1/23 school [4] 30/8 30/12 30/14 51/12 screen [3] 28/20 53/21 54/15 seasoned [1] 29/20 second [7] 13/25 15/3 20/19 28/5 30/9 55/7 58/6 Secondly [4] 19/4 20/8 31/18 56/23 secure [1] 37/19 see [27] 3/2 3/2 3/3 3/4 3/5 5/6 8/15 9/17 9/18 9/19 9/20 11/7 13/1 14/22 17/22 20/6 20/21 22/1 27/18 27/20 41/1 44/4 46/21 52/5 52/9 56/9		

<p>S</p> <p>stages [2] 37/2 55/21</p> <p>stand [1] 57/21</p> <p>standpoint [2] 24/5 28/22</p> <p>start [5] 18/10 19/13 20/10 21/6 41/21</p> <p>starting [1] 18/22</p> <p>state [52] 3/18 4/20 6/19 12/6 28/16 28/18 28/21 29/2 29/5 29/21 31/5 31/7 31/15 32/8 36/2 36/5 36/19 36/20 36/23 37/1 37/9 37/17 37/24 38/2 38/8 38/11 38/20 38/22 38/23 39/3 39/20 39/20 40/1 40/1 40/1 40/2 40/3 43/9 43/22 43/24 44/3 44/6 44/12 44/25 45/1 45/4 46/1 46/10 46/11 47/4 47/14 48/21</p> <p>State/Federal [4] 28/16 28/18 28/21 38/8</p> <p>stated [3] 18/19 37/8 41/16</p> <p>states [6] 1/1 1/10 1/11 38/12 40/5 40/8</p> <p>status [8] 1/9 6/16 31/8 33/11 33/18 35/10 51/21 60/2</p> <p>Statute [1] 23/17</p> <p>stay [7] 11/17 14/20 19/21 19/23 26/17 26/17 47/15</p> <p>stayed [1] 22/10</p> <p>step [2] 39/8 45/6</p> <p>stickler [1] 16/14</p> <p>still [10] 3/12 15/15 21/12 22/8 24/18 25/7 29/10 51/16 52/14 54/21</p> <p>stint [1] 30/4</p> <p>Stipes [3] 2/7 12/7 60/12</p> <p>stipulate [1] 28/9</p> <p>Stokes [2] 34/17 35/9</p> <p>Stokes' [1] 37/14</p> <p>stone [1] 3/24</p> <p>stop [1] 58/8</p> <p>stories [2] 35/17 52/2</p> <p>storms [1] 56/17</p> <p>story [1] 27/6</p> <p>strategize [2] 5/16 5/17</p> <p>strategy [2] 31/4 49/4</p> <p>streamline [1] 17/16</p> <p>street [5] 1/21 1/24 2/2 2/5 50/22</p> <p>stress [1] 10/10</p> <p>strikes [1] 25/9</p> <p>strongly [1] 59/7</p> <p>struck [1] 23/7</p> <p>structure [1] 47/9</p> <p>Stuff [1] 57/13</p> <p>subcommittee [3] 25/14 26/7 55/10</p> <p>subcommittees [1] 55/23</p> <p>submit [2] 18/24 43/2</p> <p>submitted [3] 15/7 15/11 18/25</p> <p>subsequent [1] 46/19</p> <p>substantial [2] 9/24 15/14</p> <p>substantive [3] 6/5 44/19 48/18</p> <p>succinct [1] 44/24</p> <p>such [8] 35/17 41/2 48/11</p>	<p>49/16 49/19 50/3 50/10 51/8</p> <p>suggestions [2] 39/7 47/4</p> <p>Suite [3] 1/14 1/18 2/2</p> <p>summary [2] 5/11 16/16</p> <p>supplement [1] 51/20</p> <p>support [2] 8/2 8/2</p> <p>suppose [1] 47/2</p> <p>sure [15] 3/11 3/16 11/23 12/8 15/9 22/20 39/6 40/23 48/5 48/16 49/1 49/13 54/11 56/6 59/11</p> <p>surgery [1] 30/18</p> <p>surprise [4] 47/7 47/10 47/10 47/11</p> <p>survive [1] 34/2</p> <p>suspect [1] 44/10</p> <p>system [3] 12/16 52/15 52/17</p> <p>systems [1] 16/6</p> <p>T</p> <p>T's [1] 46/7</p> <p>TaCARA [2] 2/1 29/15</p> <p>tagged [1] 17/14</p> <p>take [14] 4/22 5/22 6/20 8/23 10/2 10/15 19/17 39/18 42/20 48/1 53/13 57/25 58/18 60/4</p> <p>take-away [1] 57/25</p> <p>taken [2] 10/6 59/24</p> <p>taking [3] 5/3 9/22 26/20</p> <p>talk [5] 40/25 42/2 47/6 55/4 55/18</p> <p>talked [4] 17/5 36/7 37/5 40/21</p> <p>talking [6] 17/10 17/15 21/25 40/22 41/8 41/21</p> <p>talks [1] 46/18</p> <p>task [1] 16/16</p> <p>tasks [1] 51/22</p> <p>taught [1] 51/11</p> <p>team [3] 30/9 48/16 59/9</p> <p>technical [2] 15/4 15/8</p> <p>technology [1] 26/23</p> <p>telephone [3] 33/5 33/8 33/8</p> <p>tell [4] 17/20 27/6 41/15 56/25</p> <p>telling [1] 59/13</p> <p>ten [5] 19/6 19/18 19/20 22/23 37/15</p> <p>tends [1] 5/6</p> <p>Tennessee [7] 30/15 31/3 31/9 32/7 33/22 33/23 36/9</p> <p>term [1] 20/7</p> <p>terminal [1] 52/4</p> <p>terms [4] 8/3 13/8 26/9 46/6</p> <p>terrible [1] 16/9</p> <p>terrific [1] 16/2</p> <p>Texas [5] 3/18 36/12 36/17 37/17 56/16</p> <p>than [5] 4/4 5/6 21/23 37/13 52/10</p> <p>thank [45] 10/24 12/22 18/3 18/4 27/12 27/12 27/16 27/16 27/18 28/12 28/13 28/14 29/8 32/25 33/14 33/14 35/7 35/10 35/23 35/24 44/20 46/15 46/16 46/23 47/16 47/17 47/18 47/24 49/22 49/23</p>	<p>50/16 53/10 53/19 53/24 54/14 54/14 56/9 56/11 56/14 56/23 57/3 58/12 58/14 59/23 60/4</p> <p>thanks [3] 35/5 47/23 48/5</p> <p>that [396]</p> <p>that's [2] 3/12 12/18</p> <p>the discussions [1] 45/19</p> <p>the more [1] 48/12</p> <p>their [19] 3/6 7/11 13/13 15/7 15/10 16/5 18/24 21/25 22/12 23/16 24/17 26/4 35/20 45/1 45/2 46/13 52/2 52/13 56/23</p> <p>them [19] 6/8 6/21 8/11 13/4 13/20 14/25 14/25 21/4 21/25 24/17 24/18 25/2 38/15 38/16 45/7 48/25 48/25 54/24 59/17</p> <p>themes [1] 11/18</p> <p>then [26] 3/7 6/3 6/7 9/11 12/18 13/12 13/15 15/13 16/1 17/8 20/21 23/14 27/5 28/19 30/9 30/11 30/17 34/6 34/13 36/22 37/16 40/10 45/25 53/13 55/6 60/1</p> <p>there [67]</p> <p>therefore [1] 32/3</p> <p>these [13] 7/18 10/22 11/17 20/3 27/7 27/8 31/1 40/14 45/11 53/7 57/9 58/19 59/3</p> <p>they [62]</p> <p>they are [1] 41/18</p> <p>thing [15] 3/8 11/2 14/13 15/3 15/13 17/8 26/12 26/12 38/3 40/13 43/18 43/25 48/19 57/8 58/9</p> <p>things [23] 5/13 6/5 7/6 7/19 12/18 14/8 29/12 43/11 43/15 43/20 44/5 44/8 44/17 44/19 45/5 46/2 46/21 47/5 54/12 57/13 57/15 57/25 59/21</p> <p>think [74]</p> <p>thinking [4] 17/20 21/3 52/8 57/4</p> <p>this [97]</p> <p>thorough [1] 6/19</p> <p>those [65]</p> <p>though [2] 3/7 52/14</p> <p>thought [4] 3/24 29/22 41/10 55/17</p> <p>thoughts [2] 46/25 56/19</p> <p>thousand [2] 37/9 37/16</p> <p>thousands [2] 51/24 59/10</p> <p>three [6] 14/8 16/1 32/10 34/15 34/19 51/17</p> <p>through [23] 1/9 6/10 8/5 8/7 8/14 8/14 9/25 19/10 19/12 19/15 21/20 24/6 24/12 26/25 30/7 37/10 39/23 49/5 49/10 52/17 54/13 56/21 57/14</p> <p>throughout [5] 36/5 36/18 36/20 43/21 51/1</p> <p>time [35] 3/11 4/7 5/20 5/20 6/22 6/23 9/3 11/19 11/20 15/7 15/11 19/24 20/1 22/12 24/15 25/6 26/6 28/17 33/6</p>
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T time... [16] 35/20 39/19 42/20 43/22 45/19 45/21 45/22 49/2 49/25 51/14 52/1 56/2 58/16 58/18 58/20 59/24 time enough [1] 22/12 timeframe [2] 10/21 43/5 timeline [1] 14/24 timelines [5] 6/20 6/25 7/2 7/4 7/5 times [3] 43/23 43/25 53/13 timing [1] 46/12 tipping [1] 44/14 toady [1] 50/20 today [15] 4/4 9/22 12/1 16/11 21/5 22/16 27/15 29/17 29/20 31/6 34/9 35/6 49/20 56/24 59/23 toe [1] 44/14 toes [3] 31/1 39/8 45/6 together [6] 11/21 11/23 20/3 24/23 53/21 59/25 told [1] 38/22 tolling [3] 22/8 22/10 23/17 too [2] 46/10 54/25 took [3] 13/14 13/16 21/18 tools [1] 13/11 topic [5] 8/24 12/3 29/6 41/12 47/1 tort [1] 51/16 total [2] 31/11 32/10 totally [1] 16/24 town [1] 30/1 track [5] 5/8 11/17 17/7 25/25 26/2 tragedies [1] 35/16 train [1] 7/9 tranche [3] 14/2 14/2 24/21 tranches [2] 15/21 16/1 transcript [1] 60/8 transfer [1] 21/13 transferee [1] 4/8 transferred [2] 4/9 32/16 transparency [2] 25/10 26/15 treat [1] 20/3 tremendous [3] 37/7 39/2 55/17 trenches [1] 50/7 trepidation [1] 10/10 trial [3] 30/19 40/3 40/5 tried [2] 36/19 40/3 trip [1] 30/6 true [1] 25/12 truly [4] 7/15 9/16 24/2 52/25 trust [2] 27/25 59/4 try [13] 7/15 11/13 11/15 24/17 24/23 29/3 34/9 35/14 36/6 39/18 40/14 47/11 52/23 trying [5] 11/2 11/3 22/22 45/25 54/19 turn [10] 3/6 11/25 12/4 12/6 17/8 21/8 28/20 29/6 29/12 47/25 twice [1] 51/14 two [8] 13/19 14/7 28/4 30/4 37/17 44/10 53/13 55/15	two-year [1] 30/4 TX [2] 1/14 2/5 type [1] 39/24 types [1] 43/15 U U.S [1] 30/2 ultimate [2] 24/9 58/2 ultimately [7] 6/4 6/6 7/12 26/1 26/13 46/9 58/2 under [4] 16/13 18/22 22/25 33/22 undergoing [1] 52/7 undergraduate [1] 30/11 understand [9] 11/11 12/2 24/24 27/7 40/9 43/4 54/1 54/2 57/16 understanding [2] 4/1 26/9 understands [3] 5/23 22/4 22/5 unexpected [1] 16/20 unfortunately [1] 52/4 unintentional [1] 9/1 UNITED [3] 1/1 1/10 1/11 University [1] 30/10 Unless [1] 27/14 unnecessary [1] 8/8 unopposed [1] 32/3 unrepresented [2] 24/14 24/15 until [5] 15/8 21/1 41/18 42/4 55/20 up [34] 3/14 4/3 7/21 9/6 10/18 15/17 19/10 20/9 23/23 23/25 24/19 25/1 26/24 27/4 27/22 30/3 33/1 33/7 36/3 36/13 39/24 40/6 40/11 40/15 41/12 42/4 42/10 43/21 45/18 46/12 48/17 49/12 54/16 59/22 upcoming [1] 49/9 update [4] 12/2 31/6 46/25 47/20 updated [1] 47/2 updates [1] 29/21 upon [1] 37/6 upwards [1] 27/5 urge [1] 18/15 us [19] 4/16 11/22 14/5 18/21 20/6 21/12 32/17 45/17 45/22 46/15 46/23 55/2 55/7 55/12 55/14 56/20 56/21 58/8 58/22 use [5] 9/3 19/14 39/1 43/17 51/20 used [3] 9/20 13/9 23/15 usefulness [1] 23/8 using [2] 13/12 21/6 usually [1] 5/10 usurp [1] 39/9 utilizing [1] 23/15 V valid [1] 33/22 valuable [1] 49/6 Vanderbilt [2] 30/10 30/11 variances [1] 40/7 various [5] 9/12 26/24 29/4	43/17 48/18 varsity [1] 30/9 vary [2] 40/1 40/2 varying [1] 24/22 vehicle [1] 9/16 vendor [2] 13/6 19/12 vendors [2] 21/13 26/23 venue [1] 31/22 versus [2] 29/4 50/12 very [45] 3/22 3/23 3/25 3/25 4/1 4/21 5/14 6/9 6/19 6/24 6/24 8/2 8/13 10/1 15/18 16/7 16/14 18/22 21/12 21/16 22/2 25/9 26/25 27/10 28/24 29/6 33/8 38/13 39/25 43/9 46/6 46/24 49/16 49/24 50/1 50/2 53/3 53/24 55/22 56/24 57/1 57/2 58/10 58/12 59/7 vetting [4] 9/19 17/5 25/18 26/8 via [1] 32/24 viability [1] 8/16 viable [2] 24/3 25/4 video [4] 3/3 3/6 12/5 12/6 view [4] 4/24 17/3 17/3 23/9 views [1] 41/14 vigorously [1] 23/13 viral [1] 3/17 virtual [1] 3/20 vision [5] 8/3 11/10 11/11 11/11 11/24 voluntarily [2] 32/11 32/12 W wait [1] 20/23 waiting [1] 28/5 want [36] 6/15 8/25 9/22 10/24 10/25 11/25 16/17 16/22 16/23 18/13 22/19 22/20 26/11 26/14 26/17 26/20 27/9 28/2 35/10 35/12 41/12 42/4 42/21 44/18 45/5 45/6 46/4 47/10 56/6 56/13 57/8 57/24 58/6 58/17 58/17 58/19 wanted [10] 4/21 15/9 17/20 23/5 27/14 32/25 33/5 42/22 56/23 56/24 wants [1] 28/8 warranted [1] 58/16 was [44] 3/17 3/21 3/22 3/23 3/25 4/8 4/9 6/16 7/24 9/6 9/12 13/14 13/20 15/2 15/6 15/10 17/14 21/18 22/22 23/2 25/9 25/10 25/25 29/25 33/7 33/9 33/10 35/8 38/22 41/7 43/5 45/18 45/20 45/23 46/9 46/16 50/24 52/18 53/18 55/10 55/17 56/12 56/24 57/10 Washington [1] 1/21 wasn't [3] 3/24 42/1 55/19 wasters [1] 58/20 watch [1] 53/6 water [1] 44/15 way [19] 3/12 6/7 8/11 8/18 9/5 9/6 13/24 14/21 16/13
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<p>W</p> <p>way... [10] 18/22 23/9 24/19 25/25 26/6 38/20 39/5 58/21 58/22 59/20</p> <p>ways [5] 4/15 4/15 10/19 28/4 33/15</p> <p>we [216]</p> <p>we'll [1] 13/16</p> <p>weary [1] 10/16</p> <p>weather [3] 16/4 16/9 56/18</p> <p>website [1] 27/3</p> <p>Wednesday [1] 56/5</p> <p>week [6] 3/17 16/1 17/21 34/12 34/25 54/16</p> <p>weeks [3] 9/25 37/12 57/1</p> <p>welcome [3] 3/1 28/20 53/11</p> <p>well [24] 3/2 3/25 5/2 6/9 11/7 16/13 17/23 18/22 21/17 25/21 30/12 30/17 33/21 34/15 35/9 36/9 36/10 36/11 37/23 49/21 49/23 50/1 58/15 60/4</p> <p>Wells [1] 36/12</p> <p>went [5] 3/11 15/25 16/3 45/25 57/11</p> <p>were [20] 3/22 10/3 10/4 10/4 10/5 12/20 13/14 15/11 18/10 18/11 21/24 28/16 30/12 32/11 32/14 34/15 45/17 52/11 54/2 57/3</p> <p>weren't [3] 15/9 41/25 45/24</p> <p>WEST [4] 1/2 1/5 1/24 2/8</p> <p>what [60] 3/16 4/1 5/4 8/4 8/4 10/15 10/20 11/10 11/21 13/8 14/6 14/12 14/20 15/13 15/20 20/21 23/7 23/11 23/22 24/3 25/20 25/21 26/13 27/22 28/25 29/1 29/2 35/13 35/22 36/7 37/25 38/4 38/5 38/11 38/11 38/12 38/21 39/7 40/7 41/17 42/3 42/5 42/21 42/23 43/5 43/5 43/6 43/19 46/13 46/14 46/20 47/2 47/3 53/15 55/13 55/14 55/15 56/18 58/9 59/8</p> <p>whatever [1] 15/16</p> <p>whatnot [1] 56/4</p> <p>when [26] 3/17 4/7 7/6 7/10 11/13 12/4 18/25 24/18 26/4 26/23 27/8 27/24 35/15 38/6 38/6 43/12 44/1 44/11 44/17 46/12 50/13 50/14 52/2 55/22 56/18 57/25</p> <p>where [39] 5/5 5/5 7/18 8/16 9/7 9/23 10/3 11/1 11/2 11/3 11/3 12/25 13/12 13/17 14/11 15/21 16/5 16/17 19/15 23/24 29/10 30/10 30/15 31/9 32/7 33/5 35/18 37/8 39/19 39/21 40/3 40/4 40/23 43/12 43/15 44/4 44/18 45/8 45/9</p> <p>whether [14] 5/9 6/5 7/8 11/8 24/10 25/16 26/1 26/4 26/5 27/24 28/4 41/1 54/20 55/8</p> <p>which [27] 7/13 8/25 9/9 9/11 10/21 11/11 12/25 13/9</p>	<p>13/10 14/2 16/23 17/10 19/12 21/6 23/15 23/23 29/4 32/13 33/19 37/12 45/10 49/5 49/14 49/24 51/25 59/11 59/25</p> <p>while [10] 6/25 7/2 9/24 14/20 22/12 44/23 45/2 45/3 50/23 58/24</p> <p>who [43] 3/23 8/23 12/1 12/5 14/18 16/8 16/21 17/12 21/4 21/23 22/22 23/3 23/15 24/2 24/3 24/24 25/6 25/22 25/23 26/1 27/1 28/18 28/20 28/20 29/2 30/24 38/18 45/17 46/13 48/9 48/24 50/6 52/11 54/23 55/1 55/6 55/9 55/10 56/16 56/17 56/25 59/4 59/24</p> <p>who may [1] 50/6</p> <p>whole [4] 35/15 44/2 50/9 55/19</p> <p>whom [2] 12/7 48/25</p> <p>why [9] 5/1 20/17 26/18 42/14 43/4 43/5 52/21 53/2 55/16</p> <p>will [90]</p> <p>Williams [2] 48/7 48/16</p> <p>willing [1] 41/4</p> <p>Winifred [1] 31/21</p> <p>within [1] 25/14</p> <p>without [4] 15/19 19/1 30/7 37/1</p> <p>won't [2] 42/3 52/5</p> <p>wonderful [4] 50/15 53/24 54/12 55/6</p> <p>wondering [1] 52/8</p> <p>word [1] 49/24</p> <p>words [1] 23/9</p> <p>work [34] 5/17 6/10 6/18 8/15 9/25 10/24 11/9 11/14 20/13 21/7 21/8 21/19 21/21 27/12 31/2 38/18 48/18 48/22 48/25 49/17 50/11 51/7 51/10 51/13 51/17 52/21 52/23 52/25 53/2 53/8 53/12 53/15 54/10 58/18</p> <p>worked [3] 11/14 21/20 55/20</p> <p>working [15] 4/13 4/13 11/2 11/12 11/22 14/23 20/6 21/22 24/23 27/2 35/1 45/18 48/19 51/8 55/1</p> <p>works [1] 55/14</p> <p>world [1] 52/15</p> <p>worn [1] 50/6</p> <p>worry [2] 3/14 24/1</p> <p>would [25] 5/11 10/12 12/4 13/10 14/14 15/23 16/18 17/1 20/11 20/22 20/25 27/1 29/22 31/6 35/11 40/5 40/18 40/20 40/20 41/13 42/2 42/8 53/20 55/22 59/20</p> <p>Y</p> <p>yeah [1] 53/25</p> <p>year [22] 3/8 4/7 4/10 4/15 4/18 4/19 4/20 4/22 4/22 4/22 4/23 8/22 9/4 9/8 9/17 9/18 9/18 10/12 30/4 30/22 50/7 51/25</p> <p>years [7] 4/17 4/17 4/17</p>	<p>30/2 36/18 37/24 55/15</p> <p>yes [14] 23/5 39/13 42/13 42/13 42/21 44/22 45/15 45/21 46/21 47/6 47/24 50/18 54/3 56/7</p> <p>yet [9] 20/14 24/4 24/5 31/15 32/1 34/20 35/9 44/9 55/9</p> <p>York [3] 1/24 36/17 48/21</p> <p>you [280]</p> <p>you'd [1] 48/4</p> <p>you've [1] 35/23</p> <p>younger [2] 54/19 54/21</p> <p>your [79]</p> <p>yours [1] 35/17</p> <p>yourself [1] 8/10</p> <p>yourselves [2] 41/12 47/6</p> <p>Z</p> <p>ZANTAC [5] 1/4 4/20 5/19 13/14 51/2</p> <p>Zoom [4] 1/9 3/8 3/15 3/23</p>
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